

# Planning Committee

20 February 2014

**Reference:**  
**APP/13/01110**

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

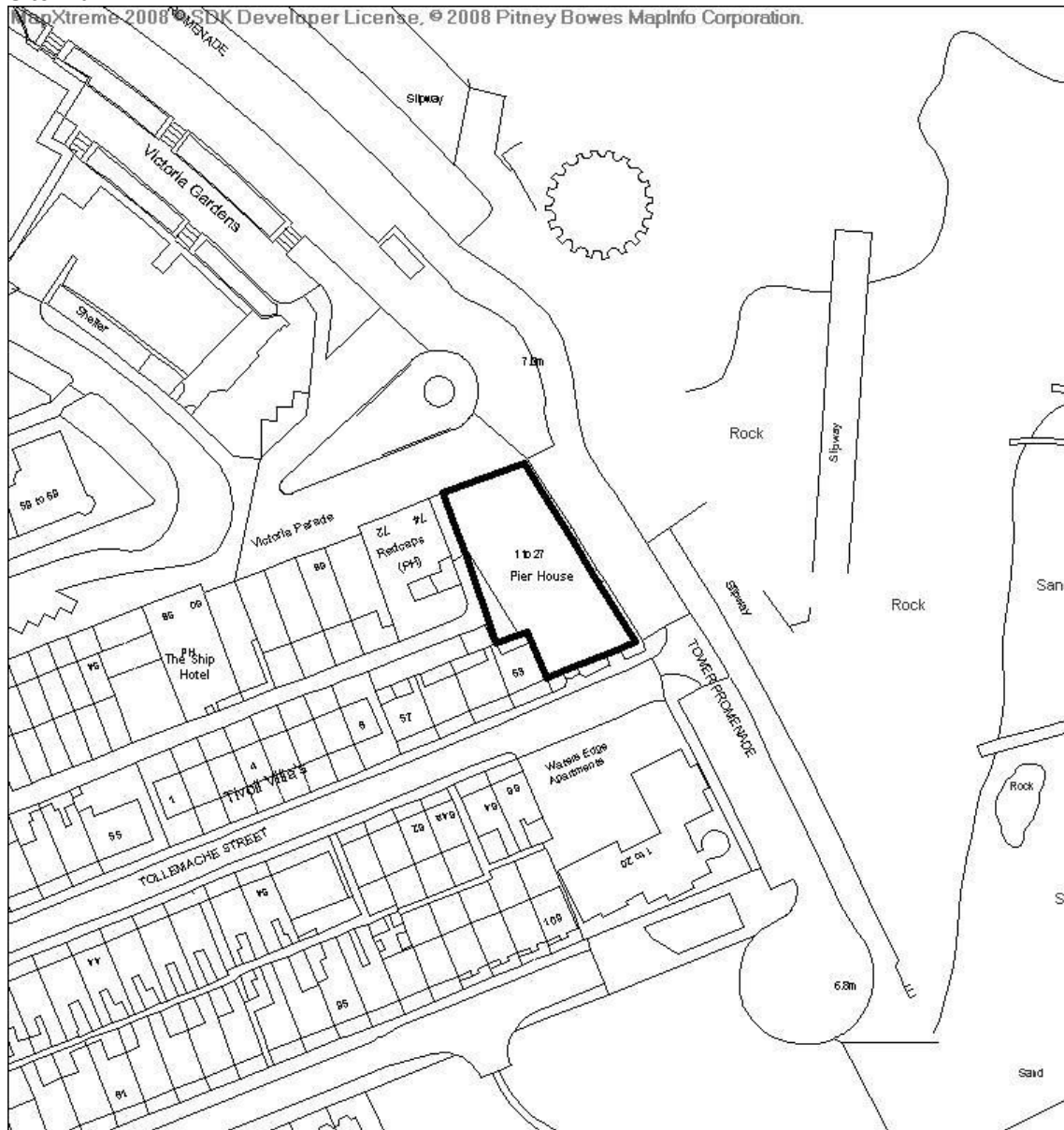
**Case Officer:**  
**Mrs S Day**

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

**Location:** Pier House, TOWER PROMENADE, NEW BRIGHTON, CH45 2JY  
**Proposal:** The proposed erection of 1no. three bedroom and 1no. 2 bedroom apartment at fourth floor level of the existing building

**Applicant:** The Elliot Charles Group  
**Agent :** ATELIER 2 ARCHITECTURE LTD.

## Site Plan:



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**Development Plan Designation:**  
Primarily Residential Area

## Planning History:

- Location: Club Ozone (Chelsea Reach), 76 Victoria Parade, New Brighton, Wirral, CH45 2PH  
Application Type: Full Planning Permission  
Proposal: Change of use of land at front of building to outdoor café bar and erection of 1.1 metre high railings and gates.  
Application No: APP/00/06976  
Decision Date: 20/07/2009  
Decision Type: Withdrawn
- Location: 76 Victoria Parade, New Brighton, Wirral, CH45 2PH  
Application Type: Full Planning Permission  
Proposal: Change of use of basement to car parking with new external ramp at the rear with vehicular access off Victoria Parade  
Application No: APP/06/05743  
Decision Date: 31/01/2007  
Decision Type: Approve
- Location: Vacant Building, 76 Victoria Parade, New Brighton, Wirral, CH45 2PH  
Application Type: Full Planning Permission  
Proposal: Third floor extension and conversion to create 30 self contained apartments. (amended description).  
Application No: APP/05/07339  
Decision Date: 31/03/2006  
Decision Type: Approve
- Location: The Chelsea, 76 Victoria Parade, New Brighton, Wirral, CH45 2PH  
Application Type: Full Planning Permission  
Proposal: Alterations and extension and conversion into 27 No. apartments  
Application No: APP/03/05981  
Decision Date: 14/01/2005  
Decision Type: Approve
- Location: Club Ozone and Flat, 76 Victoria Parade, New Brighton, Wirral, CH45 2PH  
Application Type: Full Planning Permission  
Proposal: Change of use to 20 self contained flats, external alterations including erection of third floor roof and rear extensions. (amended description and amended plans)  
Application No: APP/02/05430  
Decision Date: 26/04/2003  
Decision Type: Approve
- Location: The Chelsea , 76 Victoria Parade, New Brighton, Wirral, CH45 2PH  
Application Type: Advertisement Consent  
Proposal: Retention of illuminated signage.  
Application No: ADV/01/05525  
Decision Date: 06/06/2001  
Decision Type: Refuse
- Location: Chelsea Reach ,Tower Promenade ,New Brighton,L45 2JY  
Application Type: Advertisement Consent  
Proposal: Two illuminated signs.  
Application No: ADV/82/20620  
Decision Date: 22/07/1982  
Decision Type: Conditional Approval

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

### **CONSULTATIONS**

Head of Environment & Regulation (Traffic & Transportation Division) - No objections

### **REPRESENTATIONS**

In accordance with the Councils adopted Guidance on Publicity for Planning Applications, letters were sent to 41 individual properties and a Site Notice displayed on site.

In response to notifications letters and electronic comments were received from Flats, 5, 8A, 9, 16 22, 25, and 24 Pier House, 45 and 57 Tollemache Street, 5 Tivoli Villas and 22 Vyner Road. In addition a qualifying petition listing signatures from 36 households has been submitted and an objection from the Wallasey Civic Society.

1. The reasons for objection can be summarised as:
2. Lack of parking which would be worsened by more flats
3. Detrimental visual impact which would detract from existing building
4. Harm to structural integrity of existing building
5. noise and disturbance to existing residents

Councillor Glasman has registered support for those residents objecting to the proposed development on the following grounds:

Apart from the fact that residents have bought their flats in the building as it currently stands, including the current 'Penthouses' – there have already been problems with the building in relation to parking, waste disposal and proper access. The building has had a history of flooding in the basement and hence has a pump in situ in case of further problems. The upper storey already shows signs of stress with cracks appearing in walls.

There is not enough parking for the residents already in the building and this would be exacerbated by two more large flats being constructed. New Brighton has a problem already with access to parking during busy periods and can become gridlocked causing concern should the lifeboat be required to launch. The opening up of the bottom of Victoria Road is likely to cause further congestion exactly at the point where the road narrows as it passes in front of Pier House, ending in a roundabout which is effectively a cul de sac bringing traffic back to the corner of the building at the bottom of Victoria Road.

The building work which already is planned for the construction of flats next to the Floral Pavilion will I believe cause some inconvenience to the residents of Pier House who will be faced with the construction work of another floor and disruption of their lives going on all around them in their own homes. The fact that the owners of the building have failed to consult flat owners before submitting the Application does not bode well for the level of appreciation by them of the effect any building works would have on the owners' quality of life.

Councillor Hackett has made the following objections:

The parking issues which will not be sufficient in my view. There is currently insufficient with the number of apartments at present and this additional accommodation would add greatly to parking pressure in the area particularly as New Brighton becomes busier as a seaside resort after the regeneration efforts and this will be exacerbated with the road adjacent to this property due to be opened up to traffic as a result of highway improvements in this area. We will also have the new apartments to be built by Neptune developments next door to these properties adding extra demand on parking spaces.

My other objection is that the planned construction activities would be directly on top of occupied apartments which also has a disabled resident in a wheelchair lift required for access to their apartment, this proposed work would be chaotic and stressful for the current occupants who also inform me they were not made aware of the scheme by the applicant.

## **Director's Comments:**

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

Councillor Glasman and Hackett requested this application be removed from delegation and considered by the Planning Committee following representations received from local residents, as detailed above: insufficient parking, congestion, construction impacts to existing residents and the building itself, and exacerbation of existing problems with waste disposal and access.

### **INTRODUCTION**

The proposals are for the erection of an extension to the roof of the existing building to accommodate two additional apartments.

### **PRINCIPLE OF DEVELOPMENT**

As the application site is within a primarily residential area, new residential units are acceptable in principle subject to Unitary Development Plan Policy HS4 - Criteria for New Housing, Supplementary Planning Guidance note 2 - Designing for Self Contained Flat Development and Conversions, and the Merseyside Joint Waste Local Plan. Advice given in the National Planning Policy Framework (NPPF), specifically sections 6 and 7, is a material consideration, as is the emerging Core Strategy Development Plan Document.

### **SITE AND SURROUNDINGS**

The application site consists of a prominent four storey building located fronting Tower Promenade at the end of Tollemache Street and Victoria Parade. The existing building is divided into 30 apartments as a result of a planning permission in 2006 with the upper floor former by a largely glazed extension. The building has previously been used as a nightclub and although not listed is an important local landmark. Private parking spaces for 16 flats within the building are located immediately in front of the building on Tower Promenade.

### **POLICY CONTEXT**

The National Planning Policy Framework (NPPF) supports sustainable housing development which encompasses good design and widens the choice of high quality homes. Development should make a positive contribution to an area and use opportunities to improve the character and quality of an area.

Policies WM8 and WM9 of the Joint Waste Local Plan are relevant, establishing requirements for waste prevention in demolition and construction, and waste management in the design and layout of new development.

Policy HS4 states that proposals should be an appropriate scale that relates well to surrounding property, in particular with regard to existing densities and form of development. The development should not result in a detrimental change in the character of the area.

Policies TR9 and TR12 set out requirements for off street parking and for cycle parking respectively – the latter policy setting out that the Local Planning Authority will be guided by considerations including the availability of alternative modes of transport, road safety and traffic management issues and the likelihood of cars being parked in residential roads. SPG42 sets out detailed requirements for cycle parking.

Supplementary Planning Document 2 (SPD2) - Designing for Self Contained Flat Development and Conversions states that new buildings must be sited having regard to the layout, pattern and use of spaces between other buildings; not be visually overbearing or dominant

### **APPEARANCE AND AMENITY ISSUES**

The additional two apartments are to be created by an extension to the roof of the building. This would consist of a lightweight steel and glass structure erected on top of the existing roof structure. The extension does not occupy the whole roof area and is set back 6m from the front elevation of the building, 5.5m from the side elevation with Tollemache Street and 13.5m from the side elevation with Victoria Parade. Given this set back from the elevations, the visual impact will be minimal. Views of the building from the immediate vicinity are limited by the proximity of the river so that close up the extension will have little impact. The additional height will be more apparent from a distance but at

such a distance will not appear over dominant. There is already a small extension on top of the existing roof which is not obvious except from the rear views of the building.

Objectors have expressed concern over the structural integrity of the building and its ability to support an additional roof extension. The applicant has confirmed that the existing building is a predominantly pre-cast concrete and steel frame building which would enable the proposed extension to connect to without the need for structural alteration. The construction process will involve the lightweight pre-fabricated components of the extension being craned into place and assembled on the roof. This will minimise the disturbance to existing residents.

The existing flats were approved subject to the provision of 16 dedicated parking spaces to the front of the building that are currently in use. This is a provision of just over 50%. Supplementary Planning Document 4 - Parking Standards requires a maximum of one parking space per flat and in areas where on street parking is available a lower provision can be acceptable. The addition of two units would require a maximum of two further parking spaces. No additional spaces are proposed but it is considered that the additional demand for parking could be met by existing on street parking in the vicinity. Cycle parking is made for existing units, and it is considered that there is potential to increase this provision.

#### **SEPARATION DISTANCES**

The proposed flats will result in three additional bedroom windows to the rear elevation. The existing development has numerous windows on this elevation and as such it is not considered that the additional three bedroom windows will result in a significant further loss of amenity.

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

The Head of Environment and Regulation (Traffic and Transportation Divisions) has not objected to the proposal.

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

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

#### **HEALTH ISSUES**

There are no health implications relating to this application.

#### **CONCLUSION**

The proposals will result in an extension which will replicate the appearance of the existing building and will have a minimal visual impact. The proposals do not conflict with UDP Policy HS4 or SPD2 and will result in a sustainable, well-designed development which accords with the NPPF.

#### **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 proposals will result in an extension which will replicate the appearance of the existing building and will have a minimal visual impact. The proposals do not conflict with UDP Policy HS4 or SPD2 and will result in a sustainable, well designed development which accords with the NPPF.

**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. All new external work shall be carried out in materials that match, as closely as possible, in colour, texture and design detail those of the existing building.

**Reason:** To ensure a satisfactory development which does not prejudice the amenity of the locality.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 8th October 2013 and listed as follows: A2A.13.401\_001, A2A.13.401\_002, A2A.13.401\_003, A2A.13.401\_004, A2A.13.401\_005, A2A.13.401\_101, A2A.13.401\_102, A2A.13.401\_103, A2A.13.401\_104 and A2A.13.401\_105.

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

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 TR12 of the Wirral Unitary Development Plan.

**Last Comments By:** 07/11/2013 15:12:23  
**Expiry Date:** 03/12/2013