

Planning Committee

20 February 2014

Reference:
APP/13/01273

Area Team:
North Team

Case Officer:
Mr M Rushton

Ward:
Oxton

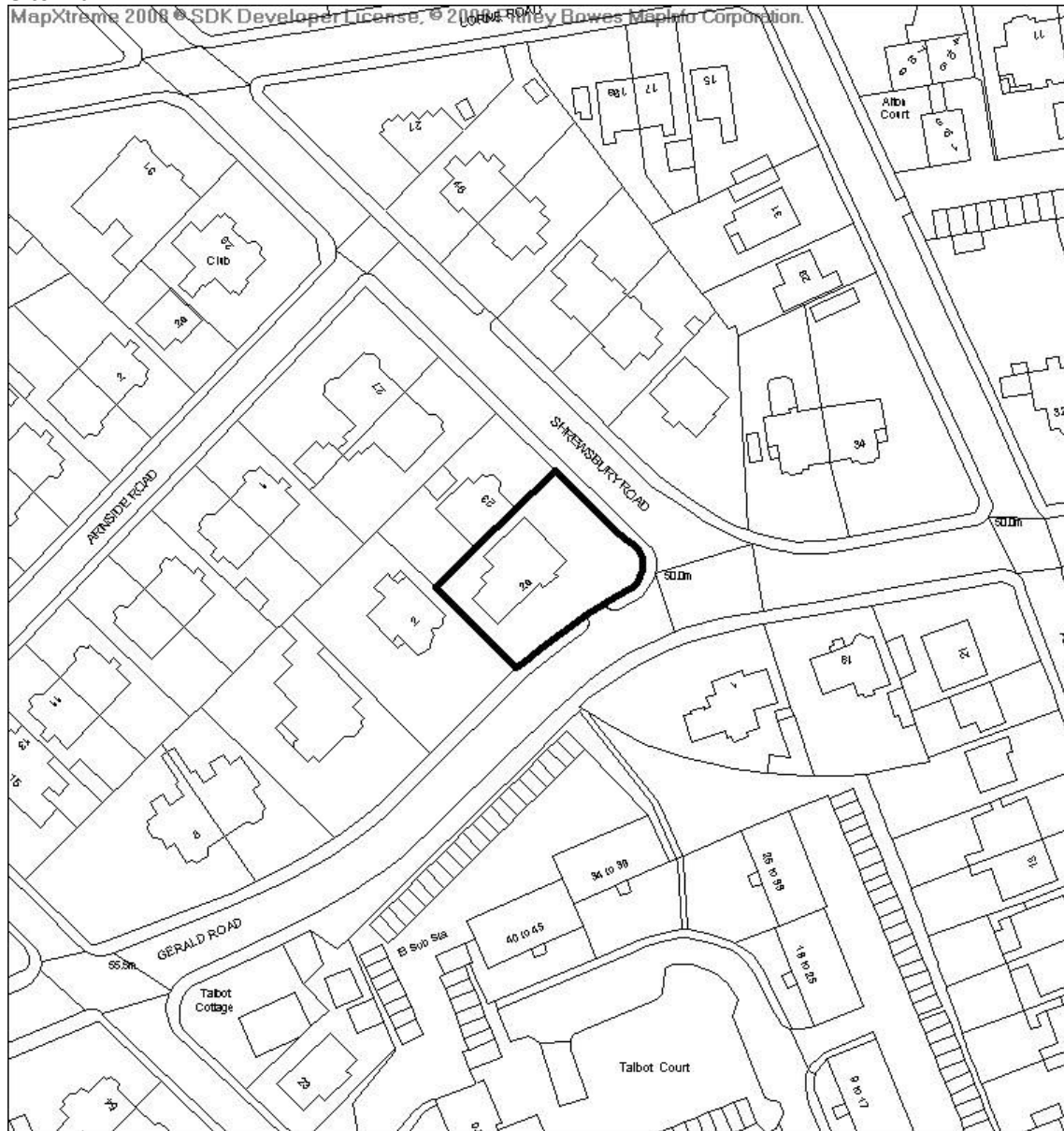
Location:
Proposal:

Gerald Court, 2A GERALD ROAD, OXTON, CH43 2JX
Retrospective application for regularisation of amended design and layout and an additional flat to permission APP/05/6232; and proposed development of dormer window to Gerald Road elevation (AMENDED DESCRIPTION).

Applicant:
Agent :

CNP Properties
SDA Architects & Surveyors

Site Plan:



Development Plan Designation:

Density and Design Guidelines Area
Primarily Residential Area

Planning History:

Location: 2A Gerald Road, Oxton, Wirral, CH43 2JX
Application Type: Full Planning Permission
Proposal: Erection of 5 apartments
Application No: APP/05/06232
Decision Date: 10/08/2005
Decision Type: Approve

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

Having regard to the Council's adopted Guidance on Publicity for Planning Applications, 22 letters of neighbour notification were issued to adjoining residents and a Site Notice displayed. At the time of writing no representations have been received.

CONSULTATIONS

Head of Environment and Regulation (Traffic and Transportation Divisions) – no objection, subject to the requirement for cycle parking provision.

Head of Environment and Regulation (Environmental Health Division) – no objection.

Director's 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 is a retrospective application for an additional flat in the second floor of an apartment block that was granted planning permission in 2005, and built on the site of a former bungalow, 2A Gerald Road. This permission, reference APP/05/06232 was for 5 flats, but 6 flats have been built and this application seeks to regularise that. In addition, the as-built development differs materially from that granted permission – a lower ground floor level proposed behind retaining structures has not been built, none of the apartments provided are duplex (two had been proposed as such previously), and there are differences in the design of each of the elevations of the building. Generally, the building as-built has been simplified from that granted permission. The resultant building is more traditional; though a number of contemporary design features have been retained that provide interest to this corner plot building.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable, subject to relevant policies HS4, HS5 and HS13 of the UDP, and WM9 of the Waste Local Plan.

SITE AND SURROUNDINGS

The application site is apartment block on the junction of Gerald Road with Shrewsbury Road in Oxton. The area is designated within Wirral's Unitary Development Plan as a Primarily Residential Area, and as such the immediate area is almost wholly residential, with two-storey dwellings the predominant dwelling type.

POLICY CONTEXT

The creation of a new residential unit is subject to Wirral Unitary Development Plan Policies HS4: Criteria for New Housing Development, HS13: Self Contained Flat Conversions, TR9: Requirements for Off-Street Parking, TR12: Cycle Parking, Supplementary Planning Document 2: Designing for Self Contained Flat Development and Conversions and Supplementary Planning Guidance SPG42: Cycle

Parking. The area is also subject to Policy HS5: Density and Design Guidelines. Merseyside Joint Waste Local Plan policy WM9 is also relevant.

APPEARANCE AND AMENITY ISSUES

The additional flat has been created by dividing an original 3-bedroom unit into two separate Units at the second floor level. This currently results in the living room, a habitable room, being served only by rooflights, which is in conflict with UDP Policy HS13 and associated SPG2. To rectify this, amended plans were sought, and have been submitted including a dormer to the Gerald Road elevation, providing sufficient outlook for this flat.

The dormer would overlook the parking area to the apartment building, and achieves a distance of approximately 22 metres from the boundary with adjacent properties, which is sufficient to ensure no loss of privacy to these properties. There are two existing dormers on the Shrewsbury Road elevation, and the proposed dormer will match them in scale and design and will therefore not harm the character or appearance of the building, or the wider street scene. It is noted that windows had been accepted at this level, on this elevation, in the original planning permission.

Given that these residential units are understood to be already occupied (and are therefore currently without the sufficient outlook which the dormer will provide for), a condition is proposed to ensure that the dormer is installed in full within six months of the date of the permission.

The general principle of an additional unit within this purpose-built apartment building will have little impact on the overall character of this residential area, and will not harm the amenities of neighbouring properties. Nor is it considered that there is conflict with Policy HS5, given the previous grant of permission for a self-contained flat development over three floors.

Considering the amendments made to the appearance of the building, for which permission is also being sought, it is considered that the building sits comfortably within the streetscene, and is designed to a high quality, notwithstanding the omission of a number of features which would have added articulation and interest to the building.

A number of windows and rooflights are located within the north west and south west elevations of the building. It is noted that the previous grant of permission was subject to a condition requiring obscure glazing to the upper floor windows of some of these elevations. It is considered necessary to re-impose the requirement for obscurity in these elevations, where windows and rooflights would be within 10m of the party boundaries with nos 23 Shrewsbury Road and 2 Gerald Road - the front garden of which acts as an area of amenity space for residents.

Overall it is considered that the proposal complies with Wirral UDP Policies HS4, HS5, HS13, and SPD2.

It is not considered, in this instance, that provision for affordable housing should reasonably be sought, the previous grant of permission (without the requirement for affordable housing) and the occupation of the apartments being a material consideration in this instance. Similarly, it is noted that waste provision has been made within the site (on the party boundary with no. 2 Gerald Road), and as such it is not considered reasonable to tie new requirements to the retention of the development undertaken.

SEPARATION DISTANCES

The proposed dormer window complies with the required 21 metre separation distance between two facing habitable windows, achieving 37m to the nearest facing property 1 Gerald Road.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no significant highway implications relating to this proposal. It is necessary to re-impose the requirement for cycle parking, given the additional unit and the absence of information of the provision made to date.

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

Overall, the additional residential unit, the amendments to the built form of the development, and the proposed dormer window do not result in harm the character of the area, the functionality of the building or the amenities of neighboring residential properties, and therefore comply with Policies HS4 and HS13 of Wirral's Unitary Development Plan, Supplementary Planning Document 2: Designing for Self Contained Flat Development and Conversions 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 development complies with UDP Policies HS4, HS13, Supplementary Planning Document 2: Designing for Self Contained Flat Development and Conversions and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. Within six months of the date of permission, the new dormer shown on Drawing No. 561_2013_01 Revision A shall be constructed in full and retained as such thereafter.

Reason: For the avoidance of doubt and to ensure sufficient outlook for occupiers, having regard to UDP Policy HS13 and associated SPD2.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 24th January 2013 and listed as follows: Drawing No. 561_2013_01 Revision A (dated 04.04.13).

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

3. 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.

4. Within three months of the date of permission, the rooflights in the north west facing elevation serving the bathroom and kitchen of Flat 5, and the rooflight and windows in the south west facing elevation serving the living room of Flat 5 and the bathroom and kitchen of Flat 3, shall be fixed and obscure glazed. The development shall be retained as such thereafter.

Reason: In the interests of the amenities of adjoining residential properties, having regard to UDP Policies HS4 and HS13.

Last Comments By: 20/02/2014 10:27:54

Expiry Date: 02/12/2013