

Planning Committee

20 January 2015

Reference:
APP/14/01333

Area Team:
North Team

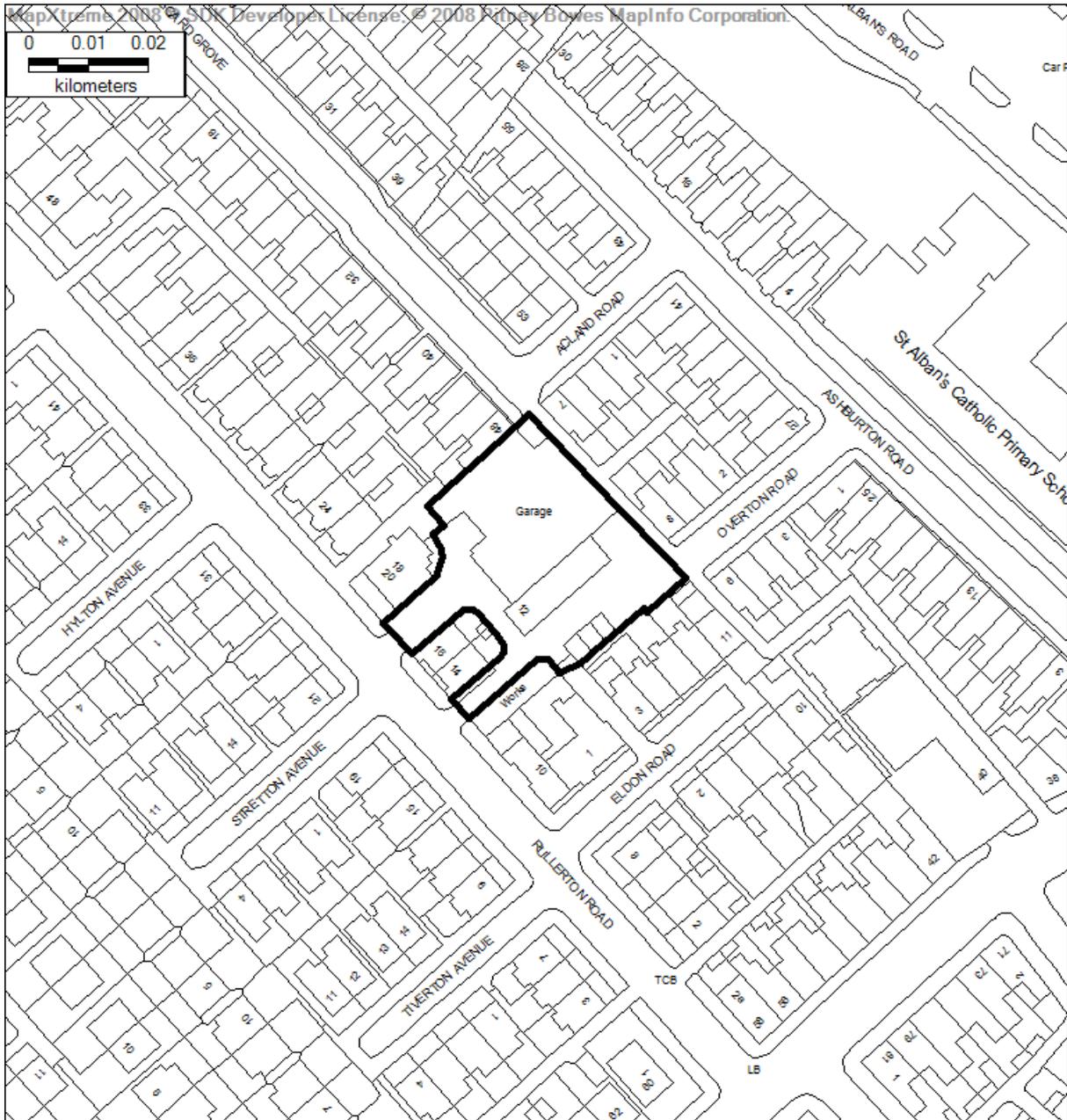
Case Officer:
Mrs S Lacey

Ward:
Liscard

Location: Garage Rear of, 18 Rullerton Road, Liscard, Wirral
Proposal: Site redevelopment and change of use of a car mechanics garage, and first floor offices to create 13 new residential units (amended description)

Applicant: SCWF Property & Investments
Agent : SDA

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: 16/18, Rullerton Road, Liscard. L44 5XQ
Application Type: Work for Council by Council
Proposal: Change of use from industrial use to archives.
Application No: APP/94/06513
Decision Date: 14/11/1994
Decision Type: Approve

Location: 8 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Outline Planning Permission
Proposal: Demolition of existing structure, new building to house 4no apartments.
Application No: OUT/10/00170
Decision Date: 09/04/2010
Decision Type: Refuse

Location: 12 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Change of use from office to taxi satellite office (call centre)
Application No: APP/12/01212
Decision Date: 13/12/2012
Decision Type: Refuse

Location: 10a Rullerton Road, Liscard, Wirral, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Change of use from workshop to residential property
Application No: APP/09/05213
Decision Date: 14/05/2009
Decision Type: Approve

Location: Building to rear of 16-18 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Change of use from B1 to B2 (including an MOT bay for Class 4/4a vehicles)
Application No: APP/12/01372
Decision Date: 13/11/2013
Decision Type: Refuse

Location: 12 RULLERTON ROAD, LISCARD
Application Type: Outline Planning Permission
Proposal: Residential apartment development of 25 units for the over 55's age group with communal facilities.
Application No: OUT/10/00019
Decision Date: 14/06/2010
Decision Type: Refuse

Location: 10 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Demolition of existing structure, new building to house 3no apartments with amenity space
Application No: APP/10/00696
Decision Date: 20/08/2010
Decision Type: Refuse

Location: Fleming &. Hadden, between 16 &. 18, Rullerton Road, Liscard. L44 5XQ
Application Type: Full Planning Permission
Proposal: Extension to form workshop and showroom, and erection of security fence.
Application No: APP/85/06241
Decision Date: 19/09/1985
Decision Type: Refuse

Location: Garage between 16 & 18, Rullerton Road, Liscard. L44 5XR
Application Type: Full Planning Permission
Proposal: Erection of extension to form W.C., alteration to front elevation, and erection of security fence.
Application No: APP/85/06807
Decision Date: 17/12/1985
Decision Type: Approve

Location: 12 Rullerton Road, Liscard, Wirral, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Change of use from office to one residential property.
Application No: APP/09/05212
Decision Date: 10/06/2009
Decision Type: Approve

Location: 10 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Demolition of existing structure, new building to house 3no apartments with amenity space
Application No: APP/10/01445
Decision Date: 01/02/2011
Decision Type: Approve

Location: Garage Rear of 18, RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Site redevelopment and change of use of a car mechanics garage, and first floor offices to create 14 new residential units
Application No: APP/13/01138
Decision Date: 09/10/2014
Decision Type: Withdrawn

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 24 letters of notification were sent to neighbouring properties. A site notice was displayed. A qualifying petition of objection (28 signatures total) has been received. Seven individual letters of objection/comment were received from nos 17, 18, 21, 22 and 26 Rullerton Road, 9 Overton Road, and 7 Acland Road. The objections are cited as follows:

1. Additional traffic and congestion;
2. Parking problems in an area where parking is already an issue;
3. Overdevelopment of the site;
4. Highway safety concerns regarding additional traffic and construction vehicles, close to a Primary School;
5. Overlooking and loss of privacy;
6. Noise and disturbance during construction;
7. Rullerton Road is already used as a cut through to avoid the one-way system.

CONSULTATIONS:

Head of Environment and Regulation (Pollution Control Division) had no objection to the proposal.

Head of Environment and Regulation (Traffic and Transportation Division) objected to the proposal on the grounds of highway safety.

Head of Housing and Community Safety (Housing Strategy Team) require a means of securing affordable housing.

Director's Comments:

Consideration of this item was deferred from Planning Committee on 18 December 2014 to allow for a Members Site Visit.

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection from neighbouring properties has been received.

INTRODUCTION

The application proposes the redevelopment and change of use of a car mechanics garage and first floor offices to create 13no. residential units. There are 8no. 2-bed townhouses. Amended plans were received to reduce the number of flats from 6 to 5 flats (4no. 2-bed, 1no. 1-bed).

PRINCIPLE OF DEVELOPMENT

The proposal for residential development is acceptable in principle.

SITE AND SURROUNDINGS

The site comprises two-storey render and pre-fabricated buildings, which the agent has stated is currently appear to be used as a car mechanics and first floor office, with access off Rullerton Road. There are residential properties surrounding the site. Access to the backland site is achieved between residential properties no.16 and no.18 with side windows facing.

POLICY CONTEXT

The proposal shall be assessed against policy HS4 Criteria for New Housing Development, HS10 - Backland Development, HS13 - Self Contained Flat Conversions, TR9 Requirements for Off-Street Parking and TR12 Requirements for Cycle Parking of the adopted Wirral Unitary Development Plan (UDP), SPD2 Designing for Self Contained Flat Development and Conversions, SPD4 Parking Standards and the National Planning Policy Framework (NPPF).

Wirral Unitary Development Plan

Policy HS4 - Criteria for new housing development requires that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area or to the amenity of neighbouring properties. The proposal does not comply with criteria (i) and (ii) in that it would not relate well with neighbouring properties and the character of the surrounding area. New housing development can only be permitted under UDP Policy HS4 where all of its criteria can be fulfilled.

The proposal is contrary to policy HS10 - Backland Development, where (ii) and (iii) set out the access should not result in a detrimental change to the character of the area, or noise, disturbance, loss of privacy, sense of enclosure, and the access must be of sufficient width. SPG10 sets out a 6m separation distance between the access and adjacent properties, which is not achieved.

The proposal does not comply with policy HS13 - Self Contained Flat Conversions, which permits the conversion of existing buildings subject to ensuring the privacy of neighbours and occupants including the layout of car parking areas and windows to prevent overlooking. Main living rooms should have reasonable outlook and not be lit solely by rooflights. Access to rear yards/gardens must be provided.

Policy TR9 - Sets out the requirement for off street parking provision within new development and road safety and traffic management considerations.

Supplementary Planning Document 2 (SPD2) - sets out proposals should be of a scale relative to surrounding properties and one-third of the site should remain as amenity space.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

The National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012 and supports sustainable housing development which encompasses good design and widens the choice of high quality homes. Development should and

make a positive contribution to an area and use opportunities to improve the character and quality of an area. Local Planning Authorities are expected to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand. Planning policies and decisions should optimise the potential of sites to accommodate development.

The application will be assessed against the Wirral's 2010 Strategic Housing Market Assessment (SHMA). The proposal for 13 residential units triggers the requirement for affordable housing. In terms of housing need and demand, Wirral's 2010 SHMA update sets out an annual requirement in the Outer area (where this site is located) for a net additional 4,072 dwellings per year, made up of 43.5% market housing and 57.5% affordable and intermediate housing over the period 2009-2029. This proposed development would contribute to meeting this need.

APPEARANCE AND AMENITY ISSUES

Proposals to construct new residential properties are considered with regard to the overall characteristics of the area and the way it is laid out, whether the proposal would be so out of place or out of scale that the area would suffer a significant reduction in its amenity and character. Policy HS4 states proposals will only be permitted if it is of a scale that relates well to surrounding properties, in particular with regard to existing densities and form of development. The LPA seeks to ensure that housing development does not result in a detrimental change in the character of the area and ensures privacy of neighbours and occupants, reasonable outlook, access to a garden and adequate viability for vehicles.

The existing commercial use of the site is not compatible with the surrounding residential properties, and a sympathetically designed residential scheme can bring amenity benefits to the surrounding neighbours and produce a long term sustainable housing development which encompasses good design and widens the choice of high quality homes.

The existing buildings are being reused and altered, and the bulk of the building will be reduced. When taking into consideration the scale of the existing building, the scale of the proposed buildings are not considered to form an overbearing feature when viewed from neighbouring properties, and will improve the outlook from some properties. It is considered a residential development of this scale can be accommodated on this site, and the amended scheme complies with policy HS4 and SPD2.

The townhouses incorporate small front and rear dormers and porches, and are considered acceptable in design. The flats include a single-storey 'green roof' which will add to the quality of space on the site.

Policy HS4 looks for 10m rear gardens and SPD2 looks for flat developments to retain one-third amenity space, which is not achieved in this instance. The townhouses provide 5m long gardens, which reflects the amenity space of surrounding residential properties. There is 99 square metres of amenity space proposed for the flats, and flats 3, 4 and 5 benefits from private courtyards. As the proposal represents a conversion and the site is in a sustainable location close to Central Park, this is considered acceptable.

Amended plans have been received closing off the accesses to Overton Road and between no.12 and 14 Rullerton Road. The proposed access will run directly adjacent past the side elevations of no.16 and 18 Rullerton Road. SPG10 sets out a 6m separation distance between the access and adjacent properties, which is not achieved. However, the existing commercial use of the site is a material consideration. There is no increase in car parking spaces (11 existing and proposed), and the proposal is not considered to result in a level of traffic that will cause a detrimental change to the character of the area, by increased noise, disturbance and loss of privacy.

Overall it is considered the proposal represents a benefit by removing the commercial use that the LA has little control over, and replacing with a residential scheme. The proposal is considered to comply with policy HS4, HS10, HS13, SPD2 and the NPPF.

SEPARATION DISTANCES

The LPA sets out separation distances to protect the privacy and amenity of neighbouring properties, and to ensure sufficient outlook and amenity for the future residents of the proposal. Habitable room windows directly facing each other should be at least 21 metres apart to protect privacy. Main

habitable room windows should be at least 14 metres from any blank gable to ensure adequate outlook. If there are differences in land levels or where development adjoins that of different ridge height, such as three-storey development adjacent to two-storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres.

Following concerns raised regarding overlooking and loss of privacy, the applicant submitted amended plans. The second floor layout of the townhouses has been amended so the bathrooms face Eldon Road. Flat 4 from the original application has been omitted, and on the amended drawings the new position of flats 3 and 4 have increased separation distances.

It is considered the proposed layout would provide a sufficient outlook for future occupiers. It is considered the amended plans provide an adequate outlook for the proposed flats, with living rooms and bedrooms looking onto private amenity space. Where there are kitchens and hallways with no outlook, roof lanterns have been provided to allow natural light. The amendments to flats 3 and 4 allow a much more open outlook.

The townhouses incorporate first floor windows serving bedrooms facing the properties on Eldon Road, and the site plan indicates there is a 20 metre separation distance, which is considered acceptable given these windows exist. The layout at second floor has been amended so the dormer windows facing Eldon Road can be obscurely glazed to prevent overlooking. The proposal complies with policy HS4, HS13 and SPD2.

HIGHWAY/TRAFFIC IMPLICATIONS

The Head of Environment and Regulations (Highway Management) objected to the original submission on highway safety grounds. The accesses are both very narrow with restricted visibility at the junctions with Rullerton Road. For a development of 13 dwellings Highways would require an adoptable standard access with a minimum 5.5 metre access road or 5 metres for a shared surface. The proposed third access into Overton Road is likely to encourage use of the site as a cut through from Ashburton Road to get back on to Mill Road, particularly for parents dropping off or collecting children from the school in Ashburton Road who would then be able to avoid the one-way system. This will create additional traffic movements on the existing substandard access onto Rullerton Road.

The applicant has responded to these comments by closing off the accesses to Overton Road and between no.12 and 14 Rullerton Road. The only proposed access will run adjacent to no.16 and 18 Rullerton Road.

The proposal indicates cycle parking provision will be provided, but it is not secure and covered. Details of cycle parking provision can be conditioned.

The proposal complies with policy TR9 Requirements for Off-Street Parking and the National Planning Policy Framework.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development (National Planning Policy Framework paragraph 56). It is considered the scale and design of the proposed development is acceptable.

The National Planning Policy Framework sets out good design should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. When considering crime prevention as part of this planning application, the proposed pedestrian accesses along the alleyway to the north-east boundary are not readily surveilled. The Merseyside Police Architectural Liaison Officer raised concerns the proposal will increase crime and anti-social behaviour. The amended proposal has removed one of the pedestrian accesses, but two remain.

Measures for waste collection and recycling, including home composting can be conditioned in accordance with policy WM9.

AFFORDABLE HOUSING

The proposal is located within the former RSS Outer Area where 20% of the homes are required to be affordable housing. In terms of need and demand, Wirral's 2010 Strategic Housing Market Assessment (SHMA) Update clearly sets out an annual requirement for a net additional 4,072 ordinary dwellings for the former RSS Outer Area over the period 2009-2029 split between 57.5% affordable and 43.5% market housing. Whilst the 2010 SHMA Update did not identify a need for affordable one bedroom properties in this area, it did identify a need for 1,158 affordable two bed properties. Welfare Reform and Benefit Reforms also need to be taken into context, currently 1-bedroom affordable properties are in very high demand. At 31st March 2014 59.84% of the 15,143 applicants registered with Property Pool Plus require a minimum 1-bed accommodation. Further to this in the Liscard Ward (where this site is located) the SHMA CLG Model identifies a net annual need of 332 affordable homes, therefore any affordable housing demand viable through this development would contribute to meeting this requirement. In addition the Liscard ward consists of only 8.88% RP stock and 91.12% private stock, showing a need to balance the housing market.

Further supporting this affordable housing statistics from Property Pool Plus, Wirral's Choice Based Lettings scheme, show that for the financial year 2013/14 in Liscard, four 1-bedroom properties were advertised with an average of 126 applicants per unit indicating a high demand for 1-bed properties in this area. One 2-bedroom property was advertised with 4 applicants per property, the average number of expressions of interest per property for all properties advertised during the same period, across the borough was 35.33, and this indicates a low demand for affordable 2-bed properties in this area.

The applicant submitted an Affordable Housing Statement and emails in liaison with Registered Social Landlords. There has been interest from Regenda and Symphony Group, subject to further information. At the time of writing this report there has been no clear confirmation that a RSL will be in a position to take on the site.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered acceptable in scale and design. The proposed development complies with policy HS4 Criteria for New Housing Development, HS10 - Backland Development and HS13 - Self Contained Flat Conversions, of the adopted Wirral Unitary Development Plan (UDP), SPD2 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 proposal is considered acceptable in scale and design. The proposed development complies with policy HS4 Criteria for New Housing Development, HS10 - Backland Development and HS13 - Self Contained Flat Conversions, of the adopted Wirral Unitary Development Plan (UDP), SPD2 Designing for Self Contained Flat Development and Conversions, and the National Planning Policy Framework.

Recommended Decision: **Approve subject to a Section 106 Legal Agreement**

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 amended plans received by the local planning authority on 05 December 2014 and listed as follows:

drawing number 79_2013_02 revision B (dated 08.12.14)

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

3. Before any construction commences, samples of the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

4. The dormer windows facing south-east towards Eldon Road shall not be glazed otherwise than with obscured glass and top hung, opening 1.7 metres above finished floor level, and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS4 of the Wirral Unitary Development Plan.

5. NO DEVELOPMENT SHALL TAKE PLACE UNTIL details of secure parking provision for cycles have been submitted to and approved in writing by the Local Planning Authority. Such provision as may be approved shall be provided before the building(s) hereby permitted is/are occupied and shall be retained permanently thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy TR12 Requirements for Cycle Parking of the adopted Wirral Unitary Development Plan.

6. Prior to the commencement of development, details of the proposed green roof shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The scheme for planting should be implemented within the first planting season prior to the occupation of the dwellings.

Reason: In the interests of visual amenity and to ensure that the development complies with Policy HS4 of the Wirral Unitary Development Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no part(s) of the roof of the buildings hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to accord with Policy HS4 and SPD2 of the Wirral Unitary Development Plan.

8. Prior to the commencement of development, detailed landscaping plans shall be submitted to and approved in writing by the Local Planning Authority. The landscaping plans shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation

Development shall be carried out in accordance with the approved details. The scheme for planting should be implemented within the first planting season prior to the occupation of the dwellings. The boundary treatments shall be implemented prior to the occupation of the dwellings and retained thereafter.

Reason: In the interests of visual amenity and to ensure that the development complies with Policy HS4 of the Wirral Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) there shall be no direct means of vehicular access to the development hereby permitted from Overton Road or the access from Rullerton Road between no.10 and no.14 Rullerton Road. Details of a means of blocking access shall be submitted to the Local Planning Authority prior to the commencement of development and approved in writing. The means of blocking the access shall be constructed prior to construction, and retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR9 of the Wirral Unitary Development Plan.

10. NO DEVELOPMENT SHALL TAKE PLACE until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policies WM8 and WM9 of the Waste Local Plan

11. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

12. Prior to the occupation of development, details of the security measures to the pedestrian accesses and buildings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of crime prevention and to ensure that the development complies with Policy HS4 of the Wirral Unitary Development Plan and the NPPF.

Further Notes for Committee:

Last Comments By: 10/12/2014 17:34:05
Expiry Date: 21/01/2015