

# Planning Committee

19 March 2015

**Reference:**  
**APP/15/00084**

**Area Team:**  
**South Team**

**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Bromborough**

**Location:** Land Adjacent to 13 New Chester Road, New Ferry, Wirral, CH62 1DG

**Proposal:** Construction of three domestic dwellings.  
**Applicant:** Mr J Mitchell

## Site Plan:



© Crown copyright and database rights 2014 Ordnance Survey 100019803 You are not permitted to copy,

sub-licence, distribute or sell any of this data to third parties in any form.

**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

Location: 13 New Chester Road, New Ferry  
Application Type: Advertisement Consent  
Proposal: Illuminated box sign  
Application No: ADV/74/01405  
Decision Date: 23/01/1975  
Decision Type: Conditional Approval

Location: 15, New Chester Road, New Ferry. L62 1DG  
Application Type: Full Planning Permission  
Proposal: Change of use to a used car showroom.  
Application No: APP/96/06180  
Decision Date: 04/10/1996  
Decision Type: Refuse

Location: Land adjacent to 13 New Chester Road, NEW FERRY, CH62 1DG  
Application Type: Full Planning Permission  
Proposal: Construction of a four storey building, including shop unit and six; 2 bed flats above.  
Application No: APP/13/01262  
Decision Date: 09/01/2014  
Decision Type: Refuse

Location: 15, New Chester Road, New Ferry. L62 1DG  
Application Type: Full Planning Permission  
Proposal: Change of use to fast food outlet.  
Application No: APP/89/07322  
Decision Date: 06/11/1989  
Decision Type: Withdrawn

**Summary Of Representations and Consultations Received:**

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 34 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 1 objection has been received, listing the following grounds:

1. Design relating to the gap between the properties with frontages on Esher Road
2. Access to yards from Esher Road
3. 3-storey in scale
4. Lack of parking

CONSULTATIONS:

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

**Director's Comments:**

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Irene Williams has requested that the application be taken out of delegated powers due to lack of bin storage and car parking.

## **INTRODUCTION**

The proposal is for the erection of three dwellings. The application is a resubmission of a previously refused planning application APP/13/01262 which was for the erection of a four storey building containing 6 residential units.

## **PRINCIPLE OF DEVELOPMENT**

The site is a previously developed site within the designated residential area and as such is acceptable in principle.

## **SITE AND SURROUNDINGS**

The site is a vacant plot that is located on the corner of New Chester Road and Esher Road, New Ferry. The surrounding buildings are a mix of two-storey and three/four storey buildings that also include traditional dormer windows to the front elevations, the area is also a mix of uses, the plot is located within the designated primarily residential area however there is a car garage opposite, a medical centre and the block of buildings adjacent to the application site are retail uses on the ground floor. The application site is located approximately 150m from New Ferry Key Town Centre.

The proposal is for three dwellings, two of which will have frontage onto Esher Road, Esher Road is a small residential road that contains 9 dwellings pre-war terraces and is a no-through road, the houses are traditional terraced houses with small rear yards and no parking although there are no parking restrictions on Esher Road.

## **POLICY CONTEXT**

The proposal is for three residential dwellings which will be assessed in accordance with Wirral's UDP Policy HS4 and taking into consideration UDP Policy TR9 with SPD4 and Policies WM8 and WM9 of the Waste Local Plan.

Policy HS4 states; Proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- (iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;
- (v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- (vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- (vii) the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be

kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

The reasoned justification for HS4 states that: 'the environment around the home has a major impact on residents' quality of life. When new residential development is proposed, both on allocated sites where a new environment is being created and where new housing is proposed within the existing residential areas, it is important that new housing blends in well with that already built and creates a safe external environment.'

National policy at NPPF section 7 also indicates that good design is a key aspect of sustainable development, and should contribute positively to making places better for people. Permission for development of poor design that fails to take the opportunities available for improving the character and quality of the area should be refused (paragraphs 75 and 64 refer).

### **APPEARANCE AND AMENITY ISSUES**

The proposed development is for three town house style dwellings, the properties are to be built in two blocks and one of the houses is detached, the buildings are three storey although the second floor is located within the roof space so as to retain the general heights of the surrounding buildings, the existing row of shops adjacent to the application site also have a second floor within the roof space. The siting of the three houses is on a corner plot that fronts both New Chester Road and Esher Road, both street elevations will have dwelling frontages so as not to have a detrimental impact onto the appearance of the two street scenes.

The siting of the building is on the footprint of a previous building that has since been demolished, the original building would have been the corner unit of the remaining row of terraced properties, there is a similar existing building on the opposite corner no.17 New Chester Road, which has been converted into two flats.

The proposed residential units have two frontages, one facing across New Chester Road and two properties facing Esher Road, the design of the buildings is a similar scale to the existing adjacent properties and has a similar outlook, the buildings also reflect the footprint of the demolished building. The main impact from the development is the outlook from the front elevations of the two houses on Esher Road that face the side elevation of 17 New Chester Road, the separation distances at this point is 11m, the existing face to face properties on Esher Road are set 14m apart. The detached property and the corner unit both have sufficient outlook due to the siting of the properties in relation to existing neighbouring buildings. The middle residential unit has a similar outlook to the existing house layout on Esher Road which is considered to follow the character of the street scene in terms of building relationships, two of the residential units also include oriel windows to improve outlook and retain privacy.

The two proposed houses that front Esher Road are a modern interpretation of the existing terrace properties, both of these properties have small gardens at ground floor as well as second floor balconies, both properties have access from the gardens onto Esher Road for the purposes of access and bin storage, there is a visual gap between these two properties that provides an area for private amenity space and a visual break within the street scene. The dwelling located adjacent to 13 New Chester Road has dual outlook across New Chester Road and Esher Road, the main entrance is from New Chester Road with access from the rear into a purpose built alley that gives access onto Esher Road.

The three units all include a balcony which increases external amenity space, the two properties on Esher Road have covered balconies to the roof space and the dwelling on New Chester Road has a first floor balcony. The two balconies at second floor on Esher Road are covered balconies so have limited views over neighbouring properties, for safety reasons the balconies also have a screen to the front, whilst there will be outlook at a higher level the outlook will not cause harm to the existing neighbouring properties, the balcony at first floor to the corner unit has outlook over New Chester Road and adds to the design of the proposed building, the design is a cut away of the corner which

takes into account the original chamfer of the corner plot layout as well as softening the impact of the building at this visible point.

Each residential unit is three bed with private amenity space, each property has a yard and a balcony, the scale of the buildings reflect the existing scale within the immediate area. The design of the three units is more modern however the buildings relate to the scale and appearance of the existing buildings in such a way that with the right finish/materials the buildings will relate to one another without having a detrimental impact onto the character of the area or the street scene.

Concerns have been raised with regard to bin storage, each unit has access from the ground floor amenity space onto Esher Road, thus a condition could be reasonably applied to secure bin storage and collection within the footprint of the premises rather than on the highway under the terms of Policy WM9 in the Joint Waste Local Plan.

Concerns have also been raised with regards to car parking or lack thereof, the Councils current standards are maximums of one space per residential unit, also Esher Road has no parking restrictions so there is availability of on street parking whilst New Chester Road is restricted with double yellow lines, it must be taken into consideration however the proximity of the plot to New Ferry Key Town Centre and the fact that New Chester Road is on a busy bus route.

UDP Policy TR9 indicates that when assessing off street parking that the Local Planning Authority will be guided by a number of factors including road safety, traffic management, alternative transport and the likelihood of cars being parked on residential roads. This is supplemented by SPD4 which sets a general maximum of one off street parking space per dwelling, but makes it clear at paragraph 47 that "it must be demonstrated that there will be no over-spill parking that would have an adverse impact on the safety or amenity of existing residents and/or other occupiers.

The redevelopment of the site will have a positive visual impact in terms of two street scenes, the site can accommodate the three proposed dwellings at a scale that reflects the existing residential properties, as such it is considered that the proposal is acceptable having regard to Wirral's UDP Policy HS4.

#### **SEPARATION DISTANCES**

The corner unit and the detached unit utilise the space of the plot in order to gain sufficient outlook and meet the separation distances of 14m window to blank wall or 21m window to window. The central property has outlook of approximately 11m from the main living rooms across Esher Road to an existing building however it is considered that the unit is built on a previously established footprint and follows the scale and proximity of existing residential dwellings along Esher Road. It is, therefore, considered that the siting, scale and outlook from this building reflect the general character of the area and the proposal will not have a detrimental impact onto existing properties or the proposed house.

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

The proposal is likely to lead to an increase in on-street parking demand, however the nearby junction is protected by waiting restrictions.

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

Due to the proximity of shops, services, New Ferry Town and public transport routes, the site is in an accessible location.'

#### **CONCLUSION**

The three town houses accommodate a plot that is currently having a negative impact onto two street scenes, the proposed buildings reflect the scale and design of existing buildings within the immediate area without having a detrimental impact onto existing residential amenity. The proposal is considered to be acceptable having regard to Wirral's UDP Policy HS4.

#### **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 three town houses accommodate a plot that is currently having a negative impact on two street scenes, the proposed buildings reflect the scale and design of existing buildings within the immediate area without having a detrimental impact onto existing residential amenity. The proposal is considered to be acceptable having regard to Wirral's UDP Policy HS4.

**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 3 February 2015 and listed as follows: A100/04 Revision A, A100/05 Revision A & A100/07

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

3. Before any construction commences, samples of all materials, including design finishes, 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

**Reason:** In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the properties unless expressly authorised.

**Reason:** In order to protect the residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. 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 Policy WM8 of the Waste Local Plan.

7. PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS arrangements for the storage, disposal and collection of waste refuse including recyclable material, , shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved arrangements shall be implemented in full and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan

**Last Comments By:** 10/03/2015 12:00:56  
**Expiry Date:** 31/03/2015