

**Planning Committee**

18 February 2016

**Reference:**  
**APP/15/01401**

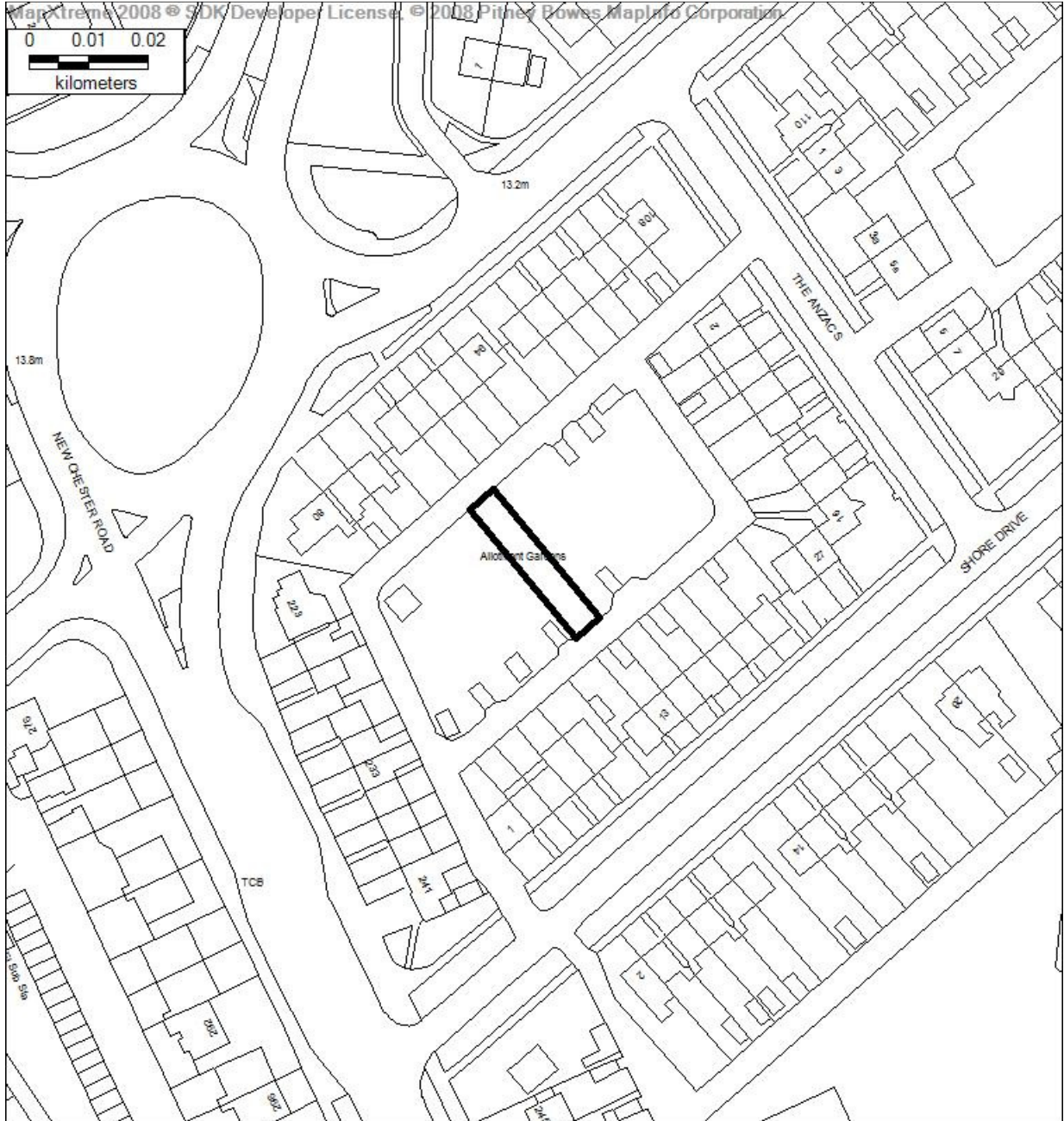
**Area Team:**  
**South Team**

**Case Officer:**  
**Mr N Williams**

**Ward:**  
**Bromborough**

**Location:** Allotment Gardens West, THE ANZACS, NEW FERRY  
**Proposal:** Erection of two pairs of lock up garages  
**Applicant:** Mr G Hall  
**Agent :** N/A

**Site Plan:**



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**Development Plan designation:**  
Primarily Residential Area

## **Planning History:**

Location: North west of (rear) 13 and 15 Shore Drive New Ferry, Wirral, CH62 4RN  
Application Type: Full Planning Permission  
Proposal: Erection of two pairs of lock up garages  
Application No: APP/02/06156  
Decision Date: 07/08/2002  
Decision Type: Approve

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

### REPRESENTATIONS:

Having regard to the Council's Guidance for Publicity on Planning Applications, 15 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there has been a petition of objection containing 28 signatures and 7 individual objections received. The objections can be summarised as follows:

1. noise,
2. security,
3. highway safety,
4. loss of privacy,
5. potential commercial use which would be out of character and harmful to the area,
6. impact upon wildlife.

### CONSULTATIONS:

**Head of Environment & Regulation (Environmental Health Division)** - No objection

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

### **Director's Comments:**

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

A qualifying petition of objection containing 28 signatures has been received.

### **INTRODUCTION**

The application is for the erection of two pairs of lock-up garages in a Primarily Residential Area, subject to Policies HS15, GR3 and TR9 in the Wirral Unitary Development Plan (UDP).

A similar application was approved in 2002 (APP/02/06156), although this permission was never implemented.

### **SITE AND SURROUNDINGS**

The application site is located on private land to the rear of properties on New Chester Road, Bolton Road East, The Anzacs and Shore Drive. The area is in mixed ownership, and as such is split up into different parcels of land -, some containing residential garages, some being unoccupied in poor condition and some used for allotments by local residents. The site is serviced via unmade and unadopted roads accessed from two entrances - one to the north east of the site and one to the south.

### **POLICY CONTEXT**

**UDP Policy HS15 'Non-Residential Uses in Primarily Residential Areas'** permits small scale development if:

- appropriate to its surroundings;
- does not result in a detrimental change in the character of the area; and
- does not cause a nuisance to neighbouring uses through noise and disturbance, on street parking and vehicular deliveries (this is addressed in the 'Appearance & Amenity Issues section below).

**UDP Policy GR3 'Protection of Allotments'** permits development where allotments in the urban area become surplus to requirements unless the site has significant potential to meet a short fall in accessible public open space or sports pitches.

Paragraph 74 in the National Planning Policy Framework indicates that existing open space and recreational land should not be built on unless:

- an assessment clearly shows the land to be surplus to requirements; or
- the loss would be replaced by equivalent or better provision, or
- development is for alternative recreational need.

Although the land to the rear of the surrounding houses has been used in the past as allotment gardens, the use has declined over time and the area is now used for a variety of different uses. The land is not allocated for protection under UDP Proposal GR4 'Allotments to be Protected From Development'.

The Wirral Open Space Assessment Update 2012 suggests there is a higher than average provision for allotments in Bromborough and Eastham and, due to its size and location, the site is not capable of making a significant contribution toward provision for public open space or sport pitches.

**UDP Policy TR9 'Requirements for Off-Street Parking'** identifies highway safety and the likelihood of cars parking on the residential road as matters for consideration when assessing off street parking provision.

### **APPEARANCE AND AMENITY ISSUES**

The proposed garages will be in keeping visually with the appearance of this site given that there are a number of other garages located within the area. The garages will be in scale of others, and of an acceptable design and will therefore not detract from the visual amenity of the site. It is not considered that the siting of garages in this location will result in an unacceptable loss of privacy to neighbouring properties.

Given the residential nature of this site and its use for domestic purposes, it is considered that a condition should be attached to prevent the garages from being used for business or commercial use. This condition was attached to the original 2002 permission, and it is considered necessary again - the use of these garages for commercial or business use, along an unmade road within an area used for domestic purposes, would harm the character and nature of this area.

There is no reason to believe that the proposal will result in any security issues to surrounding property, nor will domestic garages result in any noise or disturbance over and above what would be expected as standard from such buildings.

Overall, it is considered that the erection of two pairs of garages used for non-commercial purposes on this site will not harm the amenities of neighbouring properties, or the general character and appearance of the area.

### **SEPARATION DISTANCES**

All required separation distances are complied with.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this 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 proposal would result in development through the centre of largely open land, which is surrounded by dwelling houses on all sides. Given the existing mix of uses in the area and, due to its size and location, the site is unlikely to contribute toward other open space or sports provision. It is considered

that there would be no harmful visual impact upon the appearance of this area, whilst the use of the proposed garages for domestic purposes will not harm the character of the area and would provide additional off street parking without raising highway safety issues. The proposal is therefore considered to comply with Wirral Unitary Development Plan Policies HS15, GR3 and TR9. GR3.

**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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal will not have a harmful visual impact upon the appearance of this area, whilst the use of the proposed garages for domestic purposes will not harm the character of the area. The proposal is therefore considered to comply with Wirral Unitary Development Plan Policies HS15, GR3 and TR9.

**Recommended Decision:                      Approve**

**Recommended Conditions and Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

**Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Before any construction commences, samples of the 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 HS15 of the Wirral Unitary Development Plan.

3. The garages hereby approved shall not be used for any commercial or business purposes.

**Reason:** For the avoidance of doubt.

**Further Notes for Committee:**

**Last Comments By: 02/12/2015 11:46:09**

**Expiry Date: 28/12/2015**