

Planning Committee

20 April 2016

Reference:
APP/15/01512

Area Team:
North Team

Case Officer:
Mr N Williams

Ward:
Seacombe

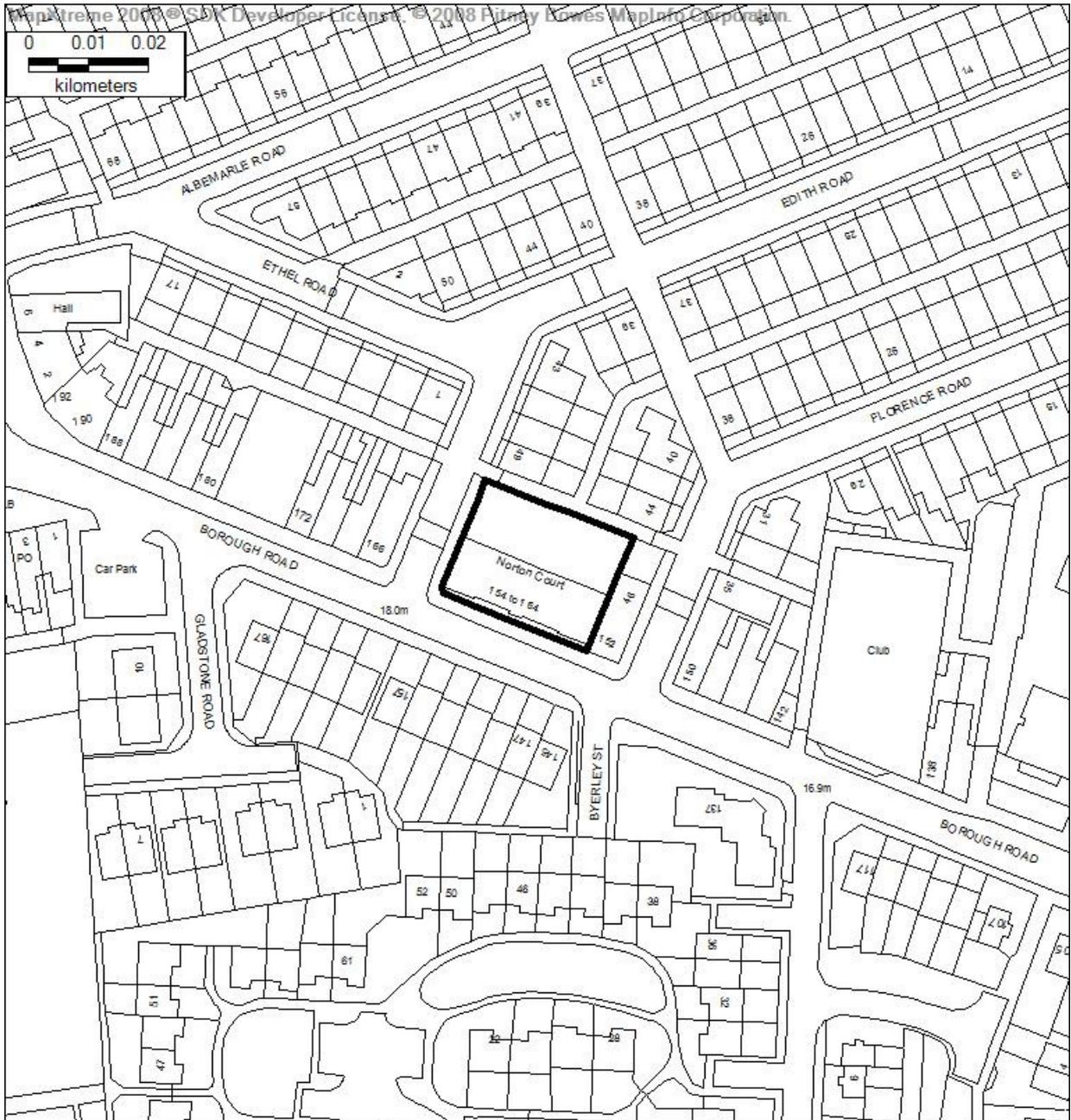
Location:
Proposal:

Norton Court, 154 BOROUGH ROAD, SEACOMBE, CH44 6NJ
Conversion and extension of existing building from 15 apartments with ground floor retail space to an assisted living facility containing 22 No. one-bed apartments with ancillary accommodation for staff, residents and visitors

Applicant:
Agent :

Salisbury Group
CTA Architects

Site Plan:



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Development Plan designation:

Traditional Suburban Centre

Planning History:

Location: Site of 154-158, Borough Road, Seacombe. L44 6NJ
Application Type: Outline Planning Permission
Proposal: Erection of a three storey building to form two retail units at ground floor level (use classes A1 and A2) and residential above (outline).
Application No: OUT/96/05737
Decision Date: 05/07/1996
Decision Type: Approve

Location: 154-164 Borough Road, Seacombe, Wirral, CH44 6NJ
Application Type: Outline Planning Permission
Proposal: Commercial / retail units at ground floor with residential apartments above (outline)
Application No: OUT/05/06633
Decision Date: 07/10/2005
Decision Type: Approve

Location: 154-164 Borough Road, Seacombe, Wirral, CH44 6NJ
Application Type: Full Planning Permission
Proposal: Demolition of existing club and erection of 3 storey building (4 floors) containing 15 flats and 2 shop units
Application No: APP/05/07913
Decision Date: 17/02/2006
Decision Type: Approve

Location: Norton Court, 160, Borough Road, CH44 6NJ
Application Type: Full Planning Permission
Proposal: Conversion of two retail units into 4 No. one-bed apartments
Application No: APP/10/01280
Decision Date: 22/12/2010
Decision Type: Refuse

Summary Of Representations and Consultations Received:REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 52 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been no objections received.

CONSULTATIONS

Head of Environment & Regulation (Pollution Control Division) - No objection

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

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The conversion of the ground floor commercial units into residential use is a departure from the Unitary Development Plan.

INTRODUCTION

The application is for the conversion of the existing building from 15 apartments with ground floor retail space to an assisted living facility containing 22 apartments, with ancillary accommodation for staff, residents and visitors. The application also proposes a single-storey rear extension, and increase in

height of the rear elevation to introduce a new rear dormer element.

SITE AND SURROUNDINGS

The premises are a large building built in 2006 which contains two vacant commercial units at ground-floor level, and 15 self-contained apartments above. The building is located within the Traditional Suburban Centre of Seacombe (Poulton Road/ Borough Road), with Borough Road containing other commercial uses, with the surrounding area being more predominantly residential.

POLICY CONTEXT

The application is subject to Wirral Unitary Development Plan Policy SH3: Ground Floor Residential Uses in Key Town Centres and Traditional Suburban Shopping Centres, which only permits ground floor residential uses where the proposal forms part of an overall strategy of planned contraction in the size of the centre. There is no formally adopted plan for contraction in this part of the Seacombe (Poulton Road/ Borough Road) Traditional Suburban Centre. Therefore the application is a departure from the UDP and, in accordance with planning law, material considerations must be identified to outweigh the requirements of Policy SH3 before planning permission can be granted, subject to compliance with other policies for residential development in the UDP.

Material considerations, which may weigh in favour of the application, include the prospects of the ground floor units being used for retail purposes and the degree of consistency with policies in the National Planning Policy Framework (NPPF).

While NPPF paragraph 23 expects local plans to promote competitive town centres, it also recognises that residential development on appropriate sites can have an important role in supporting vitality.

The site itself forms a major part of a three storey block and the adjoining premises have been converted for residential use under planning permission granted in 1993 (93/6582 refers). The site is also located on a narrow road facing housing on the frontage of a modern residential estate.

The applicant has submitted evidence to demonstrate that the two ground floor units have been marketed for their permitted retail use, and that there has been no interest at all in using these units as such. The units have been actively marketed since August 2015; whilst there is also further details submitted which indicate the units had also been marketed previously, without any success. In addition to this, the ground floor retail units have never been brought into use since they were first built under planning permission granted in 2006 (05/07913 refers).

Council assessments of the centre found that 32% of the units within this centre were vacant in 2011, and although this decreased to 24% following a re-survey in 2013, it is still clear that there are issues with vacancy rates for this centre. The Council's Action Plan for the centre recognises there may be a case for further contraction, however the extent of any reduction in the boundary of the centre would need to be subject to public consultation during the preparation of a future site specific Local Plan.

Taking account of the marketing evidence provided by the applicant, the fact that the new build retail units have never been brought into use and have remained vacant over 10 years and proximity of neighbouring residential uses, there is sufficient justification, on balance, to accept that material considerations exist to outweigh UDP Policy SH3 in this particular case.

UDP Policy HS7, HS8, HS13, HS14 and TR12 are applicable to the proposed assisted living facility

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.

APPEARANCE AND AMENITY ISSUES

It is considered that the proposed use of the building as an assisted-living facility, containing 22 apartments, will not harm the overall character of this area. There is a mix of uses throughout the area, with commercial uses and various residential uses and this proposal will therefore not be out of keeping with this.

The windows in the proposed dormer extension will be over 12 metres from the rear boundary, which it shares with an alleyway. This distance is considered sufficient to ensure that there is no loss of privacy or unacceptable levels of overlooking of neighbouring amenity areas.

The proposed single-storey rear extension will provide a residents garden room, and will open out onto an enlarged, private garden area for residents. The proposed extension is only small in scale and is set away from all boundaries, ensuring that it does not have any impact on neighbouring properties.

The alterations to the vacant shop units will be in keeping with the overall character and appearance of the existing building, and will have a positive impact on the character of the street scene by removing the vacant, unsightly units and bring some activity back to the ground-floor of the building. Overall, each of the proposed extensions are considered to be suitable in scale and are in keeping with the general appearance of the existing building.

SEPARATION DISTANCES

All required separation distances are met, with a minimum distance of 14 metres from new windows in the dormer extension to the blank elevation of the property to the rear of the site.

HIGHWAY/TRAFFIC IMPLICATIONS

Although the proposal will result in the loss of off-street parking spaces, the site is within a sustainable location and there is therefore no highway reasons to warrant refusal of the application.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Environmental/Sustainability issues relate to loss of existing local retail provision and living conditions for future occupiers as addressed in this report. .

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

After assessing the proposal against the requirements of UDP Policy SH3, the marketing evidence provided by the applicant, the fact that the existing retail units have never been brought into use and have remained vacant over 10 years, along with the proximity of the site to neighbouring residential uses are considered to be material considerations that weigh in favour, on balance, of releasing the exiting vacant retail for residential purposes. The proposed use is also considered acceptable under the terms of UDP Policies HS7, HS8, HS13, HS14 and TR12.

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:-

After assessing the proposal against the requirements of UDP Policy SH3, the marketing evidence provided by the applicant, the fact that the exiting retail units have never been brought into use and have remained vacant over 10 years, along with the proximity of the site to neighbouring residential uses are considered to be material considerations that weigh in favour, on balance, of releasing the exiting vacant retail for residential purposes. The proposed use also considered acceptable under the terms of UDP Policies HS7, HS8, HS13, HS14 and TR12.

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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13th January 2016 and listed as follows: 1773-01; 1773-02; 1773-03; 1773-04; 1773-05; 1773-06

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

3. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS13 of the Wirral Unitary Development Plan.

4. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 24/02/2016 09:15:12

Expiry Date: 09/03/2016