

# Planning Committee

16 February 2017

**Reference:**  
**APP/16/01304**

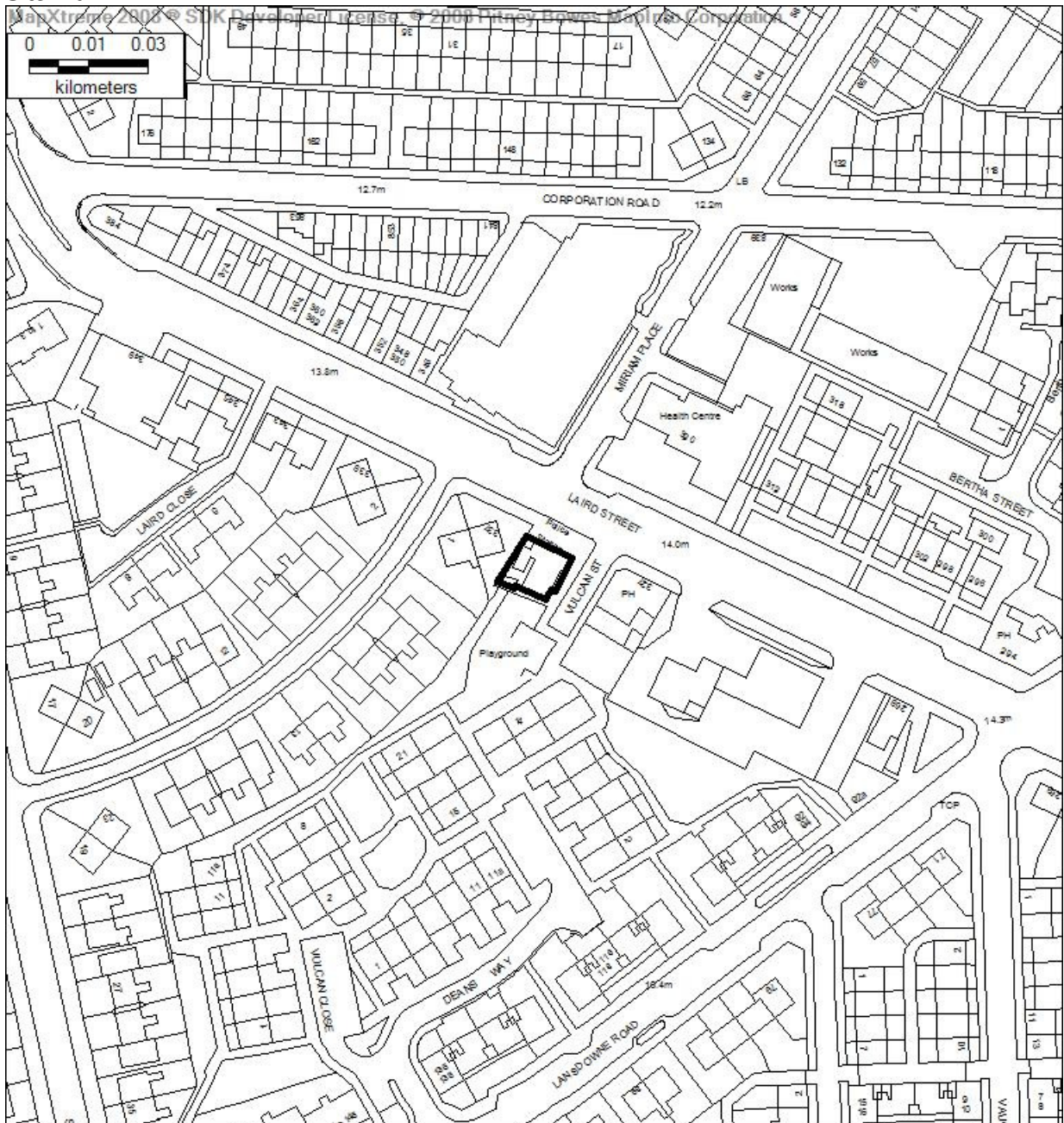
**Area Team:**  
**North Team**

**Case Officer:**  
**Mrs S Lacey**

**Ward:**  
**Bidston and St James**

**Location:** Laird Street Police Station, LAIRD STREET, BIRKENHEAD, CH41 7AJ  
**Proposal:** Proposed change of use to a House of Multiple Occupation (10 bedsits), proposed window openings and removal of ramp (AMENDED DESCRIPTION).  
**Applicant:** Dr Ahmed  
**Agent :** SDA Architecture Limited

## Site Plan:



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**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

Location: Laird Street Police Station, Laird Street, Birkenhead, Wirral, CH41 7AJ  
Application Type: Advertisement Consent  
Proposal: Erection of one illuminated wall mounted sign and one wall mounted illuminated information sign  
Application No: ADV/06/05276  
Decision Date: 07/04/2006  
Decision Type: Approved

Location: Laird Street Police Station, Laird Street, Birkenhead, Wirral, CH41 7AJ  
Application Type: Full Planning Permission  
Proposal: Installation of disabled access ramp  
Application No: APP/00/06646  
Decision Date: 01/11/2000  
Decision Type: Approved

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

Having regard to the Council's Guidance on Publicity for Applications, 13 notifications were sent to adjoining properties. A Site Notice was also displayed. No individual representations have been received from neighbouring properties. However, a qualifying petition of objection, signed by 59 signatures, has been received citing the following objections:

1. Concerns relating to parking in the area if this development is allowed;
2. Sensitivities relating to security and safeguarding of the area as the rear of the proposed development overlooks a popular, well-used children's play area

**CONSULTATIONS:**

**Environmental Health** - no objections

**HMO Licensing Team** - no objections

**Highways** - no objections

**Director's Comments:**

Consideration of this application was deferred at Planning Committee on 18 January 2017 to allow for a formal Member's Site Visit to take place.

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Ann McLachlan requested the application be removed from delegated powers on the following grounds:

1. Detrimental to residential amenity – proposed conversion does not fit with neighbouring properties and is not similar in terms of scale and proportion. Bedsits would be out of character with the area which is predominantly semi-detached and terraced dwellings;
2. Highway safety – inadequate parking provision which would result in increased on-street parking which would be harmful to residential amenity. Also the site is located at a busy junction within yards of a controlled crossing and a busy Community/Business Centre where parking is already difficult and congested; and
3. Ground stability and drainage – there have been serious issues in this locality with collapsed and over-worked drains and a 10 unit property as proposed is likely to exacerbate this situation leading to further problems for the local community.

## **INTRODUCTION**

The application proposes a change of use from a single residence to a house in multiple occupation (HMO) with 10no. bedrooms and shared kitchen and living room facilities. The description and drawings have been amended to provide satisfactory communal areas, which resulted in a loss of 2no. proposed bedrooms. It is not considered necessary to reconsult neighbours regarding the reduction in bedrooms proposed.

## **PRINCIPLE OF DEVELOPMENT**

Proposals for houses in multiple occupation are acceptable in principle subject to the provisions of policy HS14 of the adopted Wirral Unitary Development Plan.

## **SITE AND SURROUNDINGS**

The site comprises a vacant police station, situated in a residential area with commercial properties interspersed. There are residential properties to the west of the site, a playground to the rear of the site.

## **POLICY CONTEXT**

Policy HS14 Houses in Multiple Occupation permits the conversion of existing buildings to multiple occupancy subject to the property being of a sufficient size and not resulting in a detrimental change in the character of the area. No more than 20% of properties within a street block should be within multiple occupation to protect the character of the area.

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**

The applicant provided amended plans reducing the number of bedrooms and amending the proposed layout. It is considered important that residents have a good access to communal washing and toilet facilities to provide a reasonable living environment. The amended plans are considered to result in a better layout and a reduction in the number of units.

UDP policy HS14 restricts the number of converted properties in a given residential road; no more than 20% of properties within a street block should be within multiple occupation to protect the character of the area. The proposal will not result in a private dwelling having a HMO on both sides. The majority of properties are single residential units and it is considered the proposal will not result in a concentration of HMO's in the area, nor adversely affect the residential character of the area.

There are external alterations proposed to the window design and additional windows inserted. Whilst these alterations do not enhance the character of the building the window alterations are considered acceptable as they reflect the existing openings. The application also proposed the removal of the redundant ramp to be replaced by railings which will provide occupants' with defensible space and an increased perception of privacy and security.

Highly intensive multiple occupation can give rise to a level of activity out of keeping with the street and wear and tear on the fabric of the houses themselves could also occur. Transient populations are less likely to relate to the established community. However the existing building is considered to be of a scale that can accommodate the proposed 10no. bedrooms. The size of the building and the number of occupants are considered not to generate a level of activity, which could affect the privacy and quietness neighbouring residents were entitled to expect. The property is detached and it is considered sound emanating from the property would be likely not to give rise to unacceptable noise disturbance. The use is not considered to generate a significant increase in activity given its previous use as a police station, and the level of activity would not be so significant that it would impact adversely on the living conditions of local residents.

The intervention of the Local Planning Authority into the field of matters otherwise controllable under housing or environmental health powers may only be justified when the overcrowding implied has a knock-on effect on wider amenity or land use concerns. Government policy in NPPF encourages a flexible approach to standards, and the proposed room sizes and shared facilities are considered

acceptable. The windows provide a good level of outlook and daylight. There is adequate amenity space for dustbin storage and cycle parking space for inhabitants, which has been indicated on the drawings, and the building is located close to Birkenhead Park and there are public transport routes into Birkenhead town centre and Liverpool. Therefore the location of the proposal is considered to be sustainable.

The application is not proposing a secure residential institution. The use of a building for provision of secure residential accommodation (e.g. a prison, young offenders' institution, detention centre, secure training centre, custody centre etc.) would require a separate planning application under the Town and Country Planning Use Class Order 2010. There is no evidence that the change of use of the property would lead to an increase in crime, in fact a wide and varied range of land uses could help to create environments that were lively and well-used, thus deterring criminal activity.

### **SEPARATION DISTANCES**

Habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. The proposal will utilise the existing windows, with new windows to the east and south elevations not increasing overlooking. The plans were amended to move bedroom 7 away from the west elevation, and the windows in the west elevation can be fixed shut and obscurely glazed to prevent overlooking or loss of privacy to no.337. As such it is considered there are no issues regarding loss of privacy or overlooking.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The Council's adopted parking standards SPD4 require maximum parking standards, which the proposal complies with. Highway Engineers had no objection to the proposal and did not recommend any conditions. The site is considered a sustainable residential area as it is within walking distance of bus routes, train links and local amenities. In HMO cases it may be asserted that residents would have a low level of car ownership. However, the LPA cannot control the age, occupation or lifestyle of persons occupying a property.

The drawings show secure cycle parking provision and external provision for visitors to the rear of the site in accordance with policy TR12.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no Environmental/Sustainability issues relating to these proposals. The proposed building is detached and soundproofing will be controlled under Building Regulation legislation. Environmental Health did not object to the proposal. Planning policy does not set out minimum room sizes, rather it is determined as a matter of fact and degree, and in this instance the provision of communal living areas coupled with the sustainable location of the building outweighs the individual room size. The proposal is not considered to result in a damaging impact on residential surroundings with regards to increased activity in terms of comings and goings and general noise. There is adequate space for dustbins. There are no environmental or sustainability issues relating to these proposals.

### **HEALTH ISSUES**

There are no health implications relating to this application.

### **CONCLUSION**

The proposal is not considered detrimental to the character of the residential area, or cause nuisance to the surrounding residential areas by virtue of its scale and use. The proposal complies with Council policy HS14 of the adopted Wirral Unitary Development Plan 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered detrimental to the character of the residential area, or cause nuisance to the surrounding residential areas by virtue of its scale and use. The proposal complies with Council policy HS14 of the adopted Wirral Unitary Development Plan and the National Planning Policy

Framework.

**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 amended plans received by the local planning authority on 20 December 2016 and listed as follows: Drwg Nos 114\_2016\_02 Rev.E (dated 20.12.2016) & 114\_2016\_02 Rev.E (dated 20.12.2016)

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

3. The first floor windows facing west shall not be glazed otherwise than with obscured glass and fixed shut or top hung, opening 1.7 metres above finished floor level, and thereafter permanently retained as such

**Reason:** To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS14 of the Wirral Unitary Development Plan

4. Prior to first occupation or use of the development approved, 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 that shall be submitted to and approved in writing by the Local Planning Authority. Such arrangements shall thereafter be permanently retained.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection having regards to Policy EM9 of the Joint Merseyside & Halton Waste Local Plan .

**Last Comments By:** 23/11/2016  
**Expiry Date:** 06/12/2016