

Planning Committee

20 July 2017

Reference:
APP/17/00479

Area Team:
South Team

Case Officer:
Miss A McDougall

Ward:
Prenton

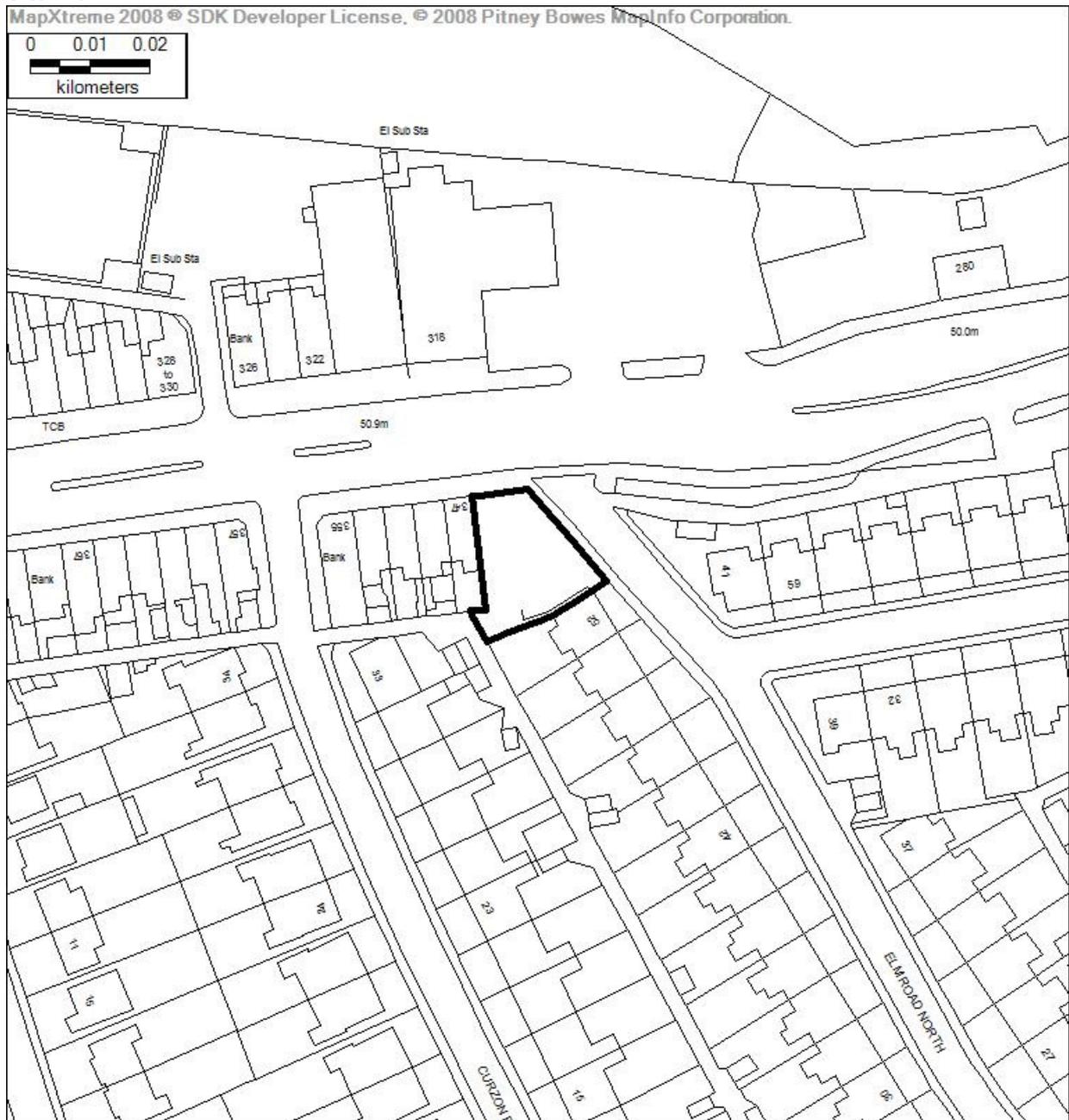
Location: Former Dave Pluck Licenced Bookmaker, 343 WOODCHURCH ROAD, PRENTON

Proposal: Erection of three storey building with A1 retail floorspace at ground floor (single unit or divided into two) with six residential apartments over the first and second floors.

Applicant: Mr Pluck

Agent : Steven Abbott Associates LLP

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
Key Town Centre

Planning History:

- Location: 343, Woodchurch Road, Prenton. L43 8PE
Application Type: Advertisement Consent
Proposal: Erection of an internally illuminated box sign.
Application No: ADV/90/06272
Decision Date: 12/09/1990
Decision Type: Approved
- Location: 343, Woodchurch Road, Prenton. L42 8PE
Application Type: Advertisement Consent
Proposal: Erection of illuminated fascia sign.
Application No: ADV/90/07537
Decision Date: 31/01/1991
Decision Type: Approved
- Location: Woodchurch Lane Post Office, 343 Woodchurch Road, Prenton, Wirral, CH42 8PE
Application Type: Full Planning Permission
Proposal: Variation of Condition 2 on planning approval APP/04/7982 to extend hours of opening to 22:00 hours
Application No: APP/05/05912
Decision Date: 24/06/2005
Decision Type: Approved
- Location: 343 Woodchurch Road, Prenton, Wirral, CH42 8PE
Application Type: Full Planning Permission
Proposal: Erection of a one metre diameter post mounted satellite dish to rear
Application No: APP/05/07542
Decision Date: 29/01/2007
Decision Type: Approved
- Location: Woodchurch Lane Post Office, 343 Woodchurch Road, Prenton, Wirral, CH42 8PE
Application Type: Full Planning Permission
Proposal: Change of use to licenced betting office to ground floor with separate offices above and part three-storey, part single-storey rear/side extension
Application No: APP/04/07982
Decision Date: 01/04/2005
Decision Type: Approved
- Location: 343 Woodchurch Road, Prenton, Wirral, CH42 8PE
Application Type: Advertisement Consent
Proposal: Erection of an illuminated fascia sign
Application No: ADV/05/05442
Decision Date: 23/05/2005
Decision Type: Approved
- Location: 343, Woodchurch Road, Prenton. L42 8PE
Application Type: Full Planning Permission
Proposal: Change of use of first and second floor flat to office and provision of parking spaces.
Application No: APP/91/05949
Decision Date: 05/07/1991
Decision Type: Refused

Location: 345 Woodchurch Road ,Prenton ,L42 8PE
Application Type: Advertisement Consent
Proposal: Display of an illuminated box sign over new entrance
Application No: ADV/78/11245
Decision Date: 08/01/1979
Decision Type: Approved

Location: 345 Woodchurch Road ,Prenton,Wirral,L42 8PE
Application Type: Full Planning Permission
Proposal: Change of use from existing shop with living accommodation above ,to
offices
Application No: APP/78/09422
Decision Date: 27/06/1978
Decision Type: Approved

Location: 345 Woodchurch Road ,Prenton ,Birkenhead,L42 8PE
Application Type: Full Planning Permission
Proposal: Provision of new front elevation
Application No: APP/78/10407
Decision Date: 03/10/1978
Decision Type: Approved

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 24 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 18 objections have been received, listing the following grounds:

1. out of keeping
2. doesn't relate well to existing properties
3. insufficient parking spaces
4. inappropriate design
5. overlooking
6. security to residential properties
7. open access to the rear alleyways
8. noise pollution from air conditioning units
9. possible light pollution from security lighting

CONSULTATIONS:

Highways - No Objection

Environmental Protection - No Objection

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The Council has received 18 separate letters of objection to the proposed development.

INTRODUCTION

The proposal is for the erection of a three storey contemporary building on the corner of Woodchurch Road and Elm Road North, the building will contain an A1 unit at ground floor and 6 self-contained flats above, the area to the rear will be used for access and car parking. The site is currently vacant land that is used as an informal car park, the site original contained a three storey building with a betting shop at ground floor, and the building was demolished following a fire.

The entrance into the flats is off Elm Road North which is a residential road and the entrance into the shop will be from Woodchurch Road which is within Prenton Key Town Centre.

PRINCIPLE OF DEVELOPMENT

The principle of development is considered acceptable.

SITE AND SURROUNDINGS

The application site is currently a vacant plot that bounds 347 Woodchurch Road and 52 Elm Road North, the site is a corner plot that previously contained a three-storey building with a shop at ground floor and residential above. The plot forms part of Prenton Key Town Centre and is located at the entrance to the Key Town Centre when travelling west along Woodchurch Road, the site is also near a very prominent and busy crossroads that is visually a gateway into the key town centre.

POLICY CONTEXT

HS4 Criteria for New Housing Development Policy

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.

HS13 Self-Contained Flat Conversions Policy

Proposals for the conversion of existing buildings into self-contained flats will be permitted subject to:

- (i) the conversion ensuring the privacy of neighbours and occupants including the layout of car parking areas to prevent overlooking of habitable room windows;
- (ii) access normally being provided to individual flats within the main structure of the building. If external staircases have to be provided they must not result in significant overlooking of neighbours' windows or private amenity space;
- (iii) any extensions required complying with Policy HS11;
- (iv) any new windows required to serve habitable rooms, such as living rooms, kitchens or bedrooms, not overlooking adjoining properties to an unacceptable degree;
- (v) any interior vertical partitions not cutting across windows and ceiling height reductions not being visible externally;
- (vi) adequate sound proofing between flats;

(vii) any basement flat having windows with two-thirds of their height above the existing outside ground level giving sufficient daylight penetration, a reasonable outlook and not immediately adjacent to parking bays and vehicle access ways;

(viii) main living rooms having a reasonable outlook and not lit solely by roof lights, nor in close proximity to high boundary or gable walls;

(ix) access to rear yards/ gardens being provided from each flat;

(x) adequate visibility at entrance and exit points and turning space for vehicles; and

(xi) the proposal otherwise complying with Policy HS4 and Policy HS5.

SH1 Criteria for Development in Key Town Centres Policy

Within the Key Town Centres listed below, proposals falling within Class A1, Class A2, Class A3 and Class D1 of the Town and Country Planning (Use Classes) Order 1987, together with other uses appropriate to a town centre location, including cinemas, theatres and taxi businesses, will be permitted subject to the following criteria:

(i) the proposal, together with other recent or proposed development does not undermine the vitality and viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outside the Borough boundary;

(ii) the proposal does not generate traffic in excess of that which can be accommodated by the existing or proposed highway network;

(iii) the proposal meets highway access and servicing requirements and includes off-street car parking in line with Policy TR9 and cycle parking in line with Policy TR12;

(iv) the siting, scale, design, choice of materials and landscaping is not detrimental to the character of the area;

(v) the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, as a result of noise and disturbance, on-street parking or delivery vehicles - where necessary, a suitable condition will be imposed on hours of opening/ operation;

(vi) proposals for Class A2 uses should incorporate the provision of a shop front and permanent window display.

Proposals for Class A3 and other appropriate town centre uses should additionally satisfy the following criteria as required:

(vii) where a proposal for Class A3 or other non-retail use is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;

(viii) proposals for Class A3 uses should include measures to mitigate smells and internally-generated noise - these measures should not intrude visually into the street scene and should be fully installed before the business commences trading.

SH7 Upper Floor Uses in Retail Premises Policy

The Local Planning Authority will permit the conversion of upper floors above shops for office uses or for residential uses not covered by permitted development rights, subject to access, parking, servicing, amenity and shop security considerations and the compatibility of the proposed use with neighbouring upper floor activities.

SPD2 - DESIGNING FOR SELF CONTAINED FLAT DEVELOPMENT AND CONVERSIONS

All development for self-contained flats should be in locations that are close to services and facilities and that are genuinely accessible by a choice of means of transport. High density development should

be located in areas where residents have the choice of walking to a range of local services such as shops, schools, employment areas, health, leisure and entertainment facilities. This could be achieved by choosing sites that are close to Key Town Centres and Traditional Suburban Centres or above ground floor level in suitable commercial premises within existing centres as listed in UDP Policies SH1 and SH2

A successful project should, therefore, be expected to:

- relate well to the geography and history of the place and the lie of the land;
- sit happily in the pattern of existing development and routes through and around it;
- respect important views (from public vantage points);
- respect the scale of neighbouring buildings;
- use materials and building methods, which are as high or of higher quality as those used in existing buildings; and
- create new views and juxtapositions, which add to the variety and texture of the setting.

Development should not result in a significant loss of privacy, daylight or sunlight for neighbouring properties, nor be visually overbearing or dominant when viewed from adjoining property.

Unless it can be demonstrated that privacy would not be unduly affected, 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. 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.

Materials and colours should be selected to recognise and contribute to the particular location, not just the building in isolation. The materials should reinforce the character of the surrounding buildings and the sense of place generally. High quality materials will be required at all levels of the scheme from facing materials and roof coverings to handrails. Materials should be used creatively, such as decorative brickwork and ornate metalwork to enrich the appearance of new buildings and the area generally.

National Planning Policy Framework

To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

APPEARANCE AND AMENITY ISSUES

The proposal is for a new build three storey mixed use development that contains an A1 use at ground floor and 6 self-contained flats above, three on each floor. The flats are accessed via a side entrance off Elm Road North, on each floor are 2 two-bed flats and 1 one-bed flat.

The proposed building is contemporary in design terms, the building is adjacent to a terrace of shops with flats above that are traditional in character and feature intricate brickwork detailing and rough cast render sections typically to the upper floors. The terrace is also three storey with retail units at ground floor and flats above. It is unlikely that a new building on this corner could appropriately copy the design details within these buildings, given the prominent location the alternative of a contrasting building is not considered detrimental to the overall character of the key town centre. The agent has been advised that whilst the style of the building is contemporary, materials such as red engineering brick and panels of rough cast render would create a material relationship between the two types of buildings.

With the exception of the south elevation, the building has open aspect across Woodchurch Road, Flat 2 at first floor and Flat 5 at second floor have habitable room outlook to the south, towards the rear gardens of the houses on Elm Road North and Curzon Road.

The majority of concerns raised by the local residents relate to the external appearance and scale of the building. The building proposed differs greatly from the existing terrace however it is not the only example of a flat roof building along Woodchurch Road, provided the materials in the external finish relate well to the existing building, the external finish should result in a successful modern addition to the street scene that complements the decorative terrace adjacent.

With regards to some of the suggestions raised by local residents, the agent was advised to make some minor changes however this was not acted upon, whilst some of the suggestions, such as moving the Elm Road North elevation back off the pavement would have had a positive visual impact, the building as originally proposed is not considered to be detrimental to the character of the area in such a way as to warrant a refusal.

The open character of the plot and the distances to the neighbouring buildings allows for the building to fit within both street scenes of Woodchurch Road and Elm Road North without appearing overdeveloped or dominant to established buildings. The building also replaces two previous three storey buildings that have been demolished.

The proposed ground floor use with flats above is considered appropriate given the land use allocation and the proximity to public transport and local shops.

The overall siting, scale, appearance and use of the proposed building is considered acceptable having regard to Wirral's UDP Policies, HS4, HS13, SH1, SH7, SPD2 and the NPPF.

SEPARATION DISTANCES

The outlook to the residential units meets the Councils interface distances of 21m window to window and 14m window to blank elevation.

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.

CONCLUSION

The proposed new three storey building is considered appropriate in terms of use, scale, appearance and siting having regard to the character of the area, neighbouring uses and Wirral's UDP Policies HS4, HS13, SH1, SH7, SPD2 and the National Planning Policy Framework. Having regard to the proximity to residential properties and the prominent location of the building, detailed conditions have been imposed to secure the best possible visual impact of the building onto the street scene and neighbouring amenity.

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 proposed new three storey building is considered appropriate in terms of use, scale, appearance and siting having regard to the character of the area, neighbouring uses and Wirral's UDP Policies HS4, HS13, SH1, SH7, SPD2 and the National Planning Policy Framework. Having regard to the proximity to residential properties and the prominent location of the building, detailed conditions have been imposed to secure the best possible visual impact of the building onto the street scene and neighbouring amenity.

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 4 May 2017 and listed as follows: CPS 16-123 002G, CPS 16-123 003F, CPS 16-123 004E, CPS 16-123 005C, CPS 16-123 006D, CPS 16-123 007E, CPS 16-123 008E & CPS 16-123 009E.

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

3. Before any construction commences, samples of the facing 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 the Wirral Unitary Development Plan.

4. Details of the air-conditioning, ventilation and any flue extraction systems including particulars of noise levels shall be submitted to and approved by the Local Planning Authority before any works commence on site and shall be installed as agreed.

Reason: To safeguard the amenities of the adjoining occupiers.

5. The premises shall not be used except between the hours of :- 08:00 hours and 20:00 hours Mondays to Sundays and at no other time without the written consent of the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

6. The ground floor Unit 1 shall be used for A1 and for no other purpose (including any other purpose in Class A of the schedule to the Town and Country Planning Use Classes (Amendment) Order 2005, or any subsequent Order or statutory provision revoking or re-enacting that Order.

Reason: In order to protect the character of the area & residential amenities of nearby occupants and to accord with Policy SH1 of the Wirral Unitary Development Plan.

7. Prior to commencement of development, a detailed plan showing the access and layout of the car park shall be submitted to the Local Planning Authority and agreed in writing. Prior to any part of the development being brought into use, areas for vehicle parking, turning and manoeuvring shall have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and these areas shall be retained thereafter for that specific use.

Reason: In the interests of highway safety.

8. 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.

9. Prior to commencement of development, details shall be provided in writing of any illumination of signs, buildings, canopies and other features of the premises, and they shall be diffused or baffled to the satisfaction of the Local Planning Authority to prevent any spread of direct light or glare over the public highway or into neighbouring properties. Any lighting proposed shall be erected as agreed and maintained as such thereafter.

Reason: To ensure that such illumination does not prejudice local amenities or safety on the neighbouring highway.

10. The ground floor entrance doors shall be so designed as not to open over the public highway or any shared access way.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or cause inconvenience to other road users.

11. No part of the development shall be brought into use until details of any vehicular and/or pedestrian access to the site/development have been submitted. These works shall be constructed in accordance with the details that have been submitted to and approved in writing by the Local Planning Authority

Reason: In the interests of highway safety.

12. NO DEVELOPMENT SHALL TAKE PLACE until a noise survey has been submitted to and approved in writing by the Local Planning Authority in relation to the impact of road traffic noise on the proposed dwellings. If the noise survey identifies unacceptable levels of noise exposure, a scheme of noise insulation to those dwelling affected must be subsequently submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future residents

Last Comments By: 09/06/2017
Expiry Date: 29/06/2017