

# Planning Committee

14 September 2017

**Reference:**  
**APP/17/00995**

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

**Case Officer:**  
**Mr C Smith**

**Ward:**  
**Wallasey**

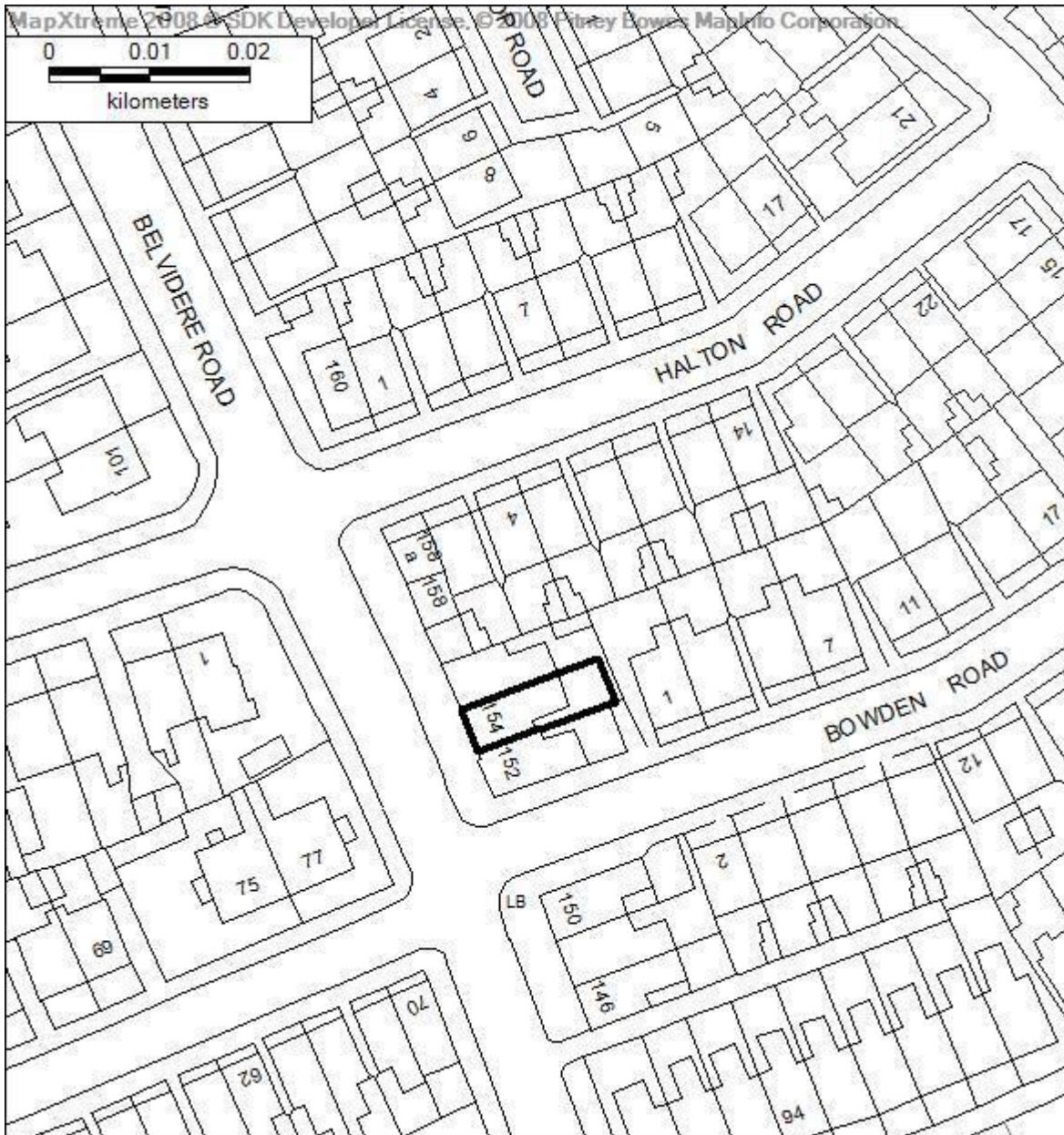
**Location:**  
**Proposal:**

McGowan Orthodontist, 154 BELVIDERE ROAD, LISCARD, CH45 4PT  
Proposed rear single storey extension with flat roof including ramp access and internal reconfigurations

**Applicant:**  
**Agent :**

McGowan Orthodontist  
Mr Carney

## Site Plan:



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**Development Plan designation:**

Primarily Residential Area

**Planning History:**

Location: McGowan Orthodontist, 154 BELVIDERE ROAD, LISCARD, CH45 4PT  
Application Type: Full Planning Permission  
Proposal: Proposed rear single storey extension with flat roof including ramp access and internal reconfigurations  
Application No: APP/17/00995  
Decision Date:  
Decision Type:

Location: 154 Belvidere Road ,Liscard,Wirral,L45 4PT  
Application Type: Full Planning Permission  
Proposal: Change of use to fish and chip shop  
Application No: APP/79/12920  
Decision Date: 30/07/1979  
Decision Type: Refuse

Location: 154 Belvidere Road,Liscard,Wirral,L45 4PT  
Application Type: Full Planning Permission  
Proposal: Change of use from shop and flat to dental surgery.  
Application No: APP/82/19911  
Decision Date: 22/04/1982  
Decision Type: Conditional Approval

**Appeal Details**

**Summary Of Representations and Consultations Received:**

**REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications 6 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report two objections and one petition of objection with 26 signatures has been received.

**Brief summary of objections:**

The occupiers of No. 1 Bowden Road objected on grounds that there are 4 busy businesses nearby who use Bowden Road to park with both staff and customers. Access to their property is required because the occupiers of No. 1 Bowden Road are self-employed and currently they cannot park by their dwelling. The rear garden of the dwelling backs onto the proposal site and the development has a new window with clear glass that looks directly into their rear garden and kitchen window. The occupier has asked the site to obscure the window, to no avail. The need for a disabled area means more traffic will be present outside their dwelling.

The occupiers of No. 158 Belvidere Road objected on grounds that parking on their road is difficult and the development will make this worse. The occupiers have applied for a disability bay outside their dwelling. If the business is allowed to increase the extra people visiting in vehicles will decrease parking for themselves and the neighbours causing a bottleneck which would be hazardous.

**Summary of petition:**

Residents are concerned that the development would worsen the already difficult parking problems that they experience in their street and make Belvidere Road even more hazardous for both pedestrians and vehicles. The application should be refused on grounds of public safety and neighbourhood nuisance.

**CONSULTATIONS:**

Head of Environment & Regulation (Traffic & Transportation Division) - No objections.  
Head of Environment and Regulation (Environmental Health Division) – No objections.

**DIRECTORS COMMENTS:**

## **REASON FOR REFERRAL**

Councillor Ian Lewis requested the application be removed from delegation and considered by the Planning Committee based on “concerns about the potential impact on the surrounding area, including neighbours in Bowden Road.” In addition, a qualifying petition has now been received.

## **INTRODUCTION**

The proposal is seeking planning permission for a single storey rear extension which will include internal alterations to provide a wheelchair accessible toilet.

The developer has stated that the extension is necessary to provide ground floor surgery space for disabled patients. Currently equipment such as x-ray machines are on the upper floor of the building and cannot be easily accessed by disabled patients.

## **PRINCIPLE OF DEVELOPMENT**

The principle of the development is acceptable subject to compliance with UDP Policy HS15 Non-Residential Uses in a Primarily Residential Area.

## **SITE AND SURROUNDINGS**

The proposal site consists of a two storey terrace style dwelling which received permission in 1982 for a change of use from a shop and flat to dental surgery (APP/82/19911). The proposal site is in a row of similar style terrace style buildings, which currently have mixed-use between flats and a hairdresser. The vast majority of neighbouring buildings serve as residential dwellings and flats however there are a small number of commercial uses in the wider area along Belvidere Road.

The existing building on the proposal site has a two storey outrigger which is attached to a neighbouring outrigger of the adjoining property No. 156 Belvidere Road.

The rear garden of the proposal site has various party boundary treatments. The North party boundary in the rear garden has an approximately 1.5 metre high brick wall, which has further timber fencing on top bringing the total height to approximately 2.0 metres. The East boundary of the rear garden has an approximate 1.5 metre high brick wall. The South party boundary of the rear garden has an approximately 1.8 metre high brick wall with dense ivy vegetation covering the wall. The proposal site has a 1.8 metre high standard timber gate for access to the rear alley behind the proposal site.

The proposal sites rear garden is has a number of small existing shed units which are situated along the North and East boundary of the rear garden. These existing shed units are 2.5 metre or under in maximum height.

The rear garden of the proposal site can be accessed via a rear alley off Bowden Road. The alley to the rear of the site is approximately 2.0 metres wide and has a depth of 6.0 metres. The rear alley has concrete tiled paving which is in a state of disrepair and almost completely overrun by weeds. The neighbouring property No 156 Belvidere Road has access to this rear alley via a timber gate.

## **POLICY CONTEXT**

The application shall be assessed under Wirral UDP Policy HS15 Non-Residential Uses in Primarily Residential Areas, Policy TR13 Requirements for Disabled Access and Joint Waste Local Plan Policies WM8 and WM9.

The National Planning Policy Framework is also a material consideration in the determination of this application..

HS15 states that proposals for small-scale built development will on be permitted where the proposal will not

- (i) Be of such scale as to be inappropriate to surrounding development
- (i) Result in a detrimental change in character of the area
- (i) Cause nuisance to neighbour uses, particularly in respect to noise and disturbance, on-street parking and deliveries by vehicles

The National Planning Policy Framework (NPPF) supports sustainable development which

encompasses good design. Development should and make a positive contribution to an area and use opportunities to improve the character and quality of an area.

### **APPEARANCE AND AMENITY ISSUES**

The proposal seeks to erect a rear single storey flat roof extension. An existing rear garden shed is indicated to be demolished on the proposed plans. The provided ground floor plans do not specify the intended use of the rear extension.

The developer has since stated that currently the building has insufficient disability access. The development seeks to allow patients with disabilities easy access to equipment such as x-ray machines at ground floor level. The application forms submitted to the Local Authority the by the developer indicated that staffing levels will not change from the existing levels, which are currently 4 full time and 3 part time staff.

For the reasons above, the application will be considered against the relevant policies and guidance on its impact as a building extension to an existing use.

The proposed rear extension will project 3.0 metres from the rear wall of the existing two storey outrigger over a width of 3.2 metres, which matches the width of the original two storey outrigger. The extension will have a flat roof with a maximum height of approximately 3.2 metres. The extension will adjoin the existing brick party wall with the neighbouring property No. 156 Belvidere Road. The proposal also includes a small ramp which will be located directly by the new rear door and will have a width of 0.85 metres and project approximately 2.5 metres from the extension.

The proposal will have a single high level white UPVC window on the North (side) elevation along with a white UPVC door on the East (rear) elevation of the extension. The South (side) elevation will have no windows or doors as it abuts the party boundary with the neighbouring property. An existing South (side) elevation door on the two storey outrigger will be bricked up and a new white UPVC window will be added which will serve the new ground floor toilet.

The rear extension will be externally finished with render and the windows and doors will be UPVC. The existing rear external walls are facing brick. It is not thought that the finish of the rear extension will have any significant impact on the street scene. The development overall will have no significant impact on the street scene of Bowden Road as it is set in from the highway and will be largely obscured by the existing neighbouring boundary walls.

The neighbouring building No. 156 Belvidere Road consists of a ground floor hairdressers and it is assumed the first floor of this building is a residential flat. The proposed extension will adjoin the party boundary with No. 156 Belvidere Road and will be approximately 1.2 metre higher than the existing party wall and fence. The development will result in some overshadowing of the rear garden of the neighbouring property (No. 156 Belvidere Road) given the orientation of the buildings in the morning and early afternoon. The ground floor rear windows and rear garden are thought to solely serve the hairdressers and therefore the proposed rear extension will not have any detrimental impact on the amenity of neighbouring uses, in terms of expected light and outlook.

The neighbouring building No. 152 Belvidere Road is thought to contain two residential flats. The proposed side facing high level window is approximately 2.5 metre from the natural floor level of the rear garden and will therefore have no impact on the neighbouring building (No. 152 Belvidere Road) in terms of privacy. The development is set back approximately 2.8 metres from party boundary with No. 152 Belvidere Road, and taking into consideration the orientation of the buildings it is thought the development will have no significant impact on the amenity of the neighbouring flats, in terms of expected light or outlook.

The neighbouring dwelling to the rear of the proposal site, No. 1 Bowden Road, has no ground floor side facing windows and one side facing window at first floor which is obscurely glazed. The rear garden boundary of the neighbouring dwelling No. 1 Bowden Road has a 1.8 metre high timber fence with trellising which obscures any direct views into the neighbouring rear garden of No. 1 Bowden Road. The development is therefore thought to have no impact on the amenity of this neighbouring dwelling in regard to expected light, outlook or privacy.

The occupier of No. 1 Bowden road objected to the application on grounds regarding parking on Bowden Road and issues of accessing their property. It is not anticipated that the extension will result in any significant change in the existing use of the building, in regards to total number of patients potentially visiting the building, overall or at any one time. The Local Authorities Highways department has no objections to the application, and therefore the development is not considered to cause any significant issues in regard to highway safety or congestion. It is therefore considered the development is not likely to significantly impact the ability of No. 1 Bowden road to access their property.

Further the occupier of No. 1 Bowden road stated that new clear glass window has been installed that look directly into their garden and kitchen. The existing rear elevation of the two storey outrigger has a ground floor window which will be replaced by the new extension. The rear elevation of the proposed extension will have a new UPVC door. While the rear garden boundary wall on the East of the site is only approximately 1.5 metres in height, the neighbouring dwelling No. 1 Bowden Road has had a single storey side extension which abuts the party boundary and has no side facing windows. The rear garden of the proposal site to the neighbouring dwelling No. 1 Bowden road has no direct or indirect views into any habitable windows of No. 1 Bowden Road. The rear garden of No. 1 Bowden has a 1.8 metre high timber fence with trellising that obscures views from the proposal site into the rear garden of No. 1 Bowden. The rear extension is therefore not considered to have any impact on the amenities of No. 1 Bowden Road in terms of outlook or privacy.

The occupiers of No. 158 objected to the application on grounds regarding parking issues in the immediate area. Furthermore a petition of objection with 26 signatures was submitted to the Local Authority, which objected on grounds regarding parking issues and highway and public safety. As previously stated, it is not anticipated that the extension will result in any significant change in the existing use of the building, in regards to total number of patients potentially visiting the building, overall or at any one time. The Local Authorities Highways department has no objections to the application, and therefore the development is not considered to cause any significant issues in regard to highway safety or congestion.

For the reasons stated above, the proposed development is considered to be an appropriate scale to the existing building. The development is necessary to allow disabled access to the services offered at the building, and it is anticipated that the development will not result in any increased nuisance to neighbouring uses, particularly in respect to noise and disturbance, on-street parking and deliveries by vehicles.

#### **HIGHWAYS**

There are no highways objections.

#### **ENVIRONMENTAL HEALTH**

There are no environmental health objections to the development.

#### **CONCLUSION**

The proposal is not considered to have a harmful visual impact on its surroundings or an adverse impact to the amenities that the occupiers of neighbouring properties can reasonably expect to enjoy. The proposal complies with the provisions of Policy HS15 and Policy TR13 of the adopted Wirral Unitary, Development Plan, Joint Waste Local Plan Policies WM8 and WM9 and the guidance in 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 to have a harmful visual impact on its surroundings or an adverse impact to the amenities that the occupiers of neighbouring properties expect to enjoy. The proposal complies with the provisions of Policy HS15 of the adopted Wirral Unitary Development Plan and the guidance in 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 approved plans received by the local planning authority on 31/07/17 and listed as follows: Drawing No. SHT 1 OF 1.

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

**Further Notes for Committee:**

**Last Comments By:** 12/09/2017

**Expiry Date:** 25/09/2017