

Planning Committee

21 March 2019

Reference:
APP/17/00960

Area Team:
North Team

Case Officer:
Mrs S Lacey

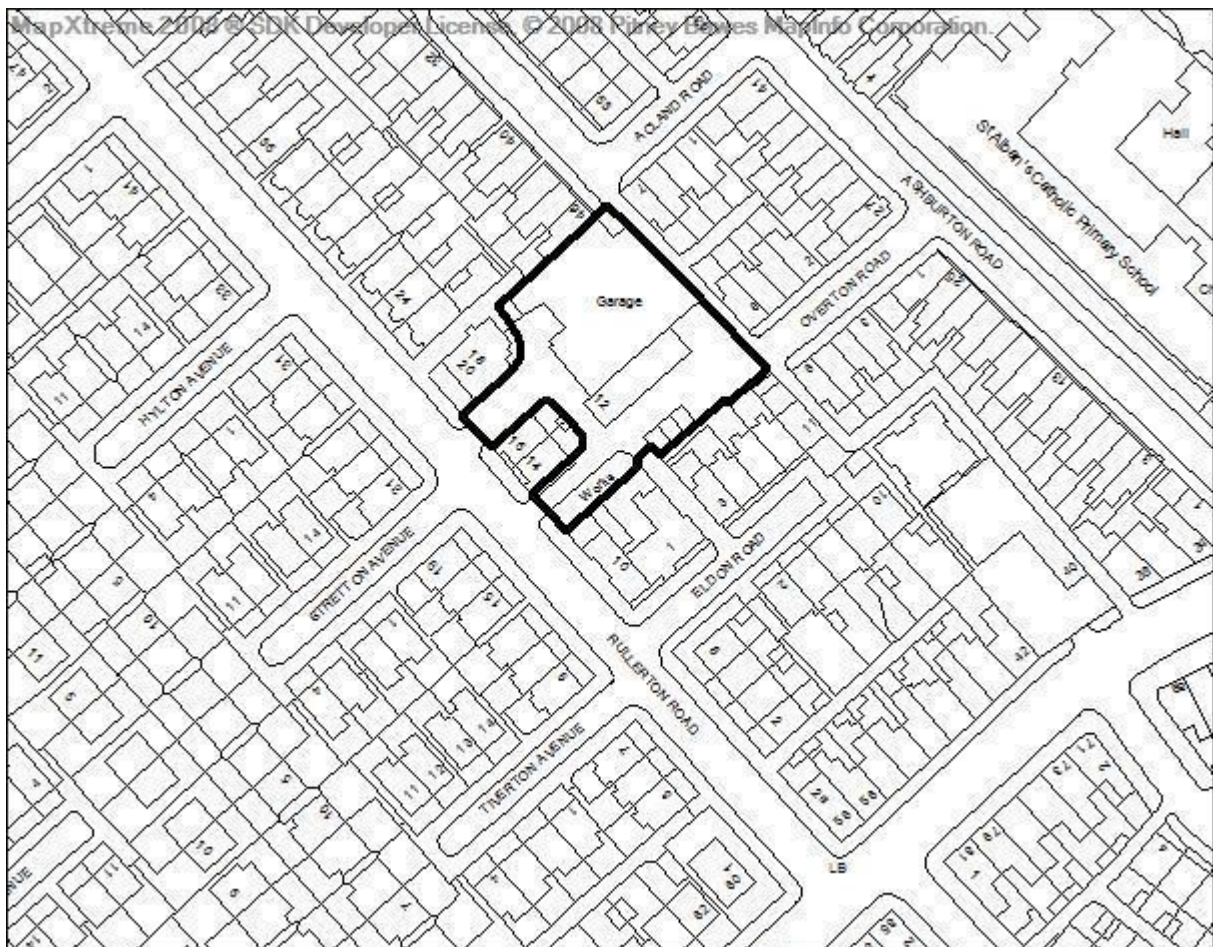
Ward:
Liscard

Location: Rullerton House, 12 RULLERTON ROAD, LISCARD
Proposal: This application is in connection with approved APP/14/01333. The applicant has made alterations to the approved plans: 1. The increase in size of the front & rear dormer (but not window size). 2. The addition of single storey rear kitchen extension. 3. Internal layout reconfiguration.

Applicant: Rivergate Ltd
Agent : Rivergate Ltd

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Primarily Residential Area

Planning History:

Location: Garage between 16 &. 18, Rullerton Road, Liscard. L44 5XR
Application Type: Full Planning Permission
Proposal: Erection of extension to form W.C., alteration to front elevation, and erection of security fence.
Application No: APP/85/06807
Decision Date: 17/12/1985
Decision Type: Approve

Location: 16/18, Rullerton Road, Liscard. L44 5XQ
Application Type: Work for Council by Council
Proposal: Change of use from industrial use to archives.
Application No: APP/94/06513
Decision Date: 14/11/1994
Decision Type: Approve

Location: 12 Rullerton Road, Liscard, Wirral, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Change of use from office to one residential property.
Application No: APP/09/05212
Decision Date: 10/06/2009
Decision Type: Approve

Location: 10 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Demolition of existing structure, new building to house 3no apartments with amenity space
Application No: APP/10/01445
Decision Date: 01/02/2011
Decision Type: Approve

Location: 10a Rullerton Road, Liscard, Wirral, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Change of use from workshop to residential property
Application No: APP/09/05213
Decision Date: 14/05/2009
Decision Type: Approve

Location: Rullerton House, 12 RULLERTON ROAD, LISCARD
Application Type: Full Planning Permission
Proposal: Site redevelopment and change of use of a car mechanics garage and first floor offices to create 12 new residential units
Application No: APP/15/00198
Decision Date: 10/04/2015
Decision Type: Returned invalid

Location: 12 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Change of use from office to taxi satellite office (call centre)
Application No: APP/12/01212
Decision Date: 13/12/2012
Decision Type: Refuse

Location: Building to rear of 16-18 RULLERTON ROAD, LISCARD, CH44 5XQ

Application Type: Full Planning Permission
Proposal: Change of use from B1 to B2 (including an MOT bay for Class 4/4a vehicles)
Application No: APP/12/01372
Decision Date: 13/11/2013
Decision Type: Refuse

Location: Garage Rear of, 18 Rullerton Road, Liscard, Wirral
Application Type: Full Planning Permission
Proposal: Site redevelopment and change of use of a car mechanics garage, and first floor offices to create 13 new residential units (amended description)
Application No: APP/14/01333
Decision Date: 21/01/2015
Decision Type: Refuse

Location: Fleming & Hadden, between 16 & 18, Rullerton Road, Liscard. L44 5XQ
Application Type: Full Planning Permission
Proposal: Extension to form workshop and showroom, and erection of security fence.
Application No: APP/85/06241
Decision Date: 19/09/1985
Decision Type: Refuse

Location: 12 RULLERTON ROAD, LISCARD
Application Type: Outline Planning Permission
Proposal: Residential apartment development of 25 units for the over 55's age group with communal facilities.
Application No: OUT/10/00019
Decision Date: 14/06/2010
Decision Type: Refuse

Location: 8 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Outline Planning Permission
Proposal: Demolition of existing structure, new building to house 4no apartments.
Application No: OUT/10/00170
Decision Date: 09/04/2010
Decision Type: Refuse

Location: 10 RULLERTON ROAD, LISCARD, CH44 5XQ
Application Type: Full Planning Permission
Proposal: Demolition of existing structure, new building to house 3no apartments with amenity space
Application No: APP/10/00696
Decision Date: 20/08/2010
Decision Type: Refuse

Appeal Details

Application No	APP/85/06241
Appeal Decision	Dismissed
Appeal Decision Date	22/09/1986

Application No	APP/14/01333
Appeal Decision	Allowed
Appeal Decision Date	16/03/2016

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS
1.1 No comments received.

2.0 SUMMARY OF REPRESENTATIONS

REPRESENTATIONS

- 2.1 Having regard to the Council Guidance on Publicity for Applications, 24 letters of notification were sent to neighbouring properties and a site notice was displayed. One objection was received citing concerns the development had already begun without planning consent.

CONSULTATIONS

- 2.2 Highway Engineers - no objection
Environmental Health - no objection

3.1 Reason for referral to Planning Committee

- 3.1.1 The agent is a Councillor.

3.2 Site and Surroundings

- 3.2.1 The previously approved planning permission is substantially complete, with access gained off Rullerton Road. There are residential properties surrounding the site. Access to the backland site is achieved between residential properties no.16 and no.18 with side windows facing.

3.3 Proposed Development

- 3.3.1 The application proposes amendments to previously approved planning application APP/14/01333 for 8no. 2-bed townhouses. The previous application was approved at appeal by the Planning Inspectorate 14 March 2016 (reference APP/W4325/W/15/3027998) and her comments remain a material consideration in determining the application.

- 3.3.2 The amendments sought include increasing the size of the front and rear dormer windows, the addition of single-storey rear extensions, and internal layout reconfiguration.

3.4 Development Plan

- 3.4.1 Policy HS4 - Criteria for new housing development requires that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area or to the amenity of neighbouring properties. New housing development can only be permitted under UDP Policy HS4 where all of its criteria can be fulfilled.

- 3.4.2 Policy TR9 - Sets out the requirement for off street parking provision within new development and road safety and traffic management considerations.

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.

3.5 Other Material Planning Considerations

- 3.5.1
3.5.2 The NPPF supports well designed sustainable development which promotes the choice of high quality homes and takes the opportunities to improve the quality and character of the area.

3.6 Assessment

- 3.6.1 The main issues pertinent in the assessment of the proposal are;
- Principle of development (appropriateness of residential development in rural location);
 - Design;
 - Highways and PROW;
 - Amenity
- 3.7 Principle of Development:
- 3.7.1 The proposal for amendments to a previously approved scheme and the principle of development has already been established. The proposal shall be assessed against policy HS4 Criteria for New Housing Development, TR9 Requirements for Off-Street Parking and TR12 Requirements for Cycle Parking of the adopted Wirral Unitary Development Plan (UDP), SPD4 Parking Standards and the National Planning Policy Framework (NPPF).
- 3.8 Design:
- 3.8.1 The alterations to the size of the front and rear dormers are not considered to increase overlooking to neighbouring properties or harm the appearance of the dwellings or the character of the streetscene.
- 3.8.2 The principle concern with the proposed single-storey rear kitchen extensions is the reduction of amenity space to 11.4 square metres. Policy HS10 requires proposals to reflect the surrounding densities. The average amenity area is approximately 25 square metres. However, whilst the proposal falls short of the amenity space, the Inspector considered the previous application, which also did not provide the amenity space recommended in saved policies, to be adequate. This decision remains a material consideration, and this coupled with the sustainable location of the proposal close to shops, transport links and public open space is considered to over-ride the policy in this instance.
- 3.8.3 The amended internal layout is deemed acceptable and provides future occupants with an adequate outlook. The first floor windows serving bedrooms now face the rear of the site, which reduces the outlook to 9 metres onto the flats. Whilst the proposal does not meet the Council's policy on a 14m separation distance, the Inspector ruled "with regards to outlook, the proposal is a conversion which balances the objectives of providing outlook for future occupier whilst protecting the privacy of existing occupiers". Therefore given the Inspector's previous decision, the proposal is deemed acceptable
- 3.9 Highways:
- 3.9.1 Amended plans were requested removing the access onto Overton Road. Amended plans were received 5th February 2019 and a condition prohibiting vehicle access onto Overton Road should be attached. There are no highway objections to this proposal.
- 3.10 Ecology:
- 3.10.1 There are no Environmental/Sustainability issues relating to these proposals.
- 3.11 Amenity:
- 3.11.1 The LPA sets out separation distances to protect the privacy and amenity of neighbouring properties, and to ensure sufficient outlook and amenity for the future residents of the proposal. Habitable room windows directly facing each other should be at least 21 metres apart to protect privacy. Main habitable room windows should be at least 14 metres from any blank gable to ensure adequate outlook. 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.

3.11.2 The first and second floor layout of the townhouses has bathrooms facing Eldon Road, and as the proposal is a conversion the proposal does not compromise the existing 20m separation distance to neighbouring properties

3.12 Other:

3.12.1 There are no health implications relating to this application.

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 considered acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal does not result in loss of privacy, daylight or sunlight to neighbouring properties. The proposal is acceptable in size and design, complies with Council policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

Recommended Decision:

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 9/10/17 and 5/2/19 and listed as follows: 05_2017_03 D and 05_2017_02 D (received 5/2/19)

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

3. The second floor dormer windows to the front elevation (facing Eldon Road) shall not be glazed otherwise than with obscured glass and fixed shut or top hung opening 1.7m above finished floor level, and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS4 of the Wirral Unitary Development Plan.

4. No access should be constructed on Overton Road.

Reason: In the interest of highway safety.

Further Notes for Committee:

Last Comments By: 22/11/2017 10:05:41

Expiry Date: 04/12/2017