

Planning History:

Location: 65, Prenton Road West, Prenton. L42 9PZ
Application Type: Full Planning Permission
Proposal: Two storey side extensions to provide additional accommodation.
Application No: APP/91/05204
Decision Date: 27/03/1991
Decision Type: Approve

Summary of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

- 1.1 Councillor Chris Cooke requested additional information in respect to the proposed scheme to share with residents.

2.0 SUMMARY OF REPRESENTATIONS

REPRESENTATIONS

Having regard to the Council Guidance on Publicity for Applications, 10 notifications were sent to adjoining properties. The description of development on the notification letters stated "Change of use from C2 use (Residential Care Home) to C3 use (15no. Self-Contained Flats)". The notifications attracted one 29 signature petition and 4 objections. The planning issues raised in the petition were as follows:

1. Traffic and parking issues;
2. Waste storage; and
3. Excessively high-density residential development not in keeping with surrounding densities.

A second neighbour notification had to be undertaken due to there having been a lack of clarity surrounding the proposed use in the original description. A further 40 objections were received after the description was altered to "Change of use from C2 use (Residential Care Home) to C3 use (15no. Self-Contained Flats to provide emergency short term provision and mid-term "move on" accommodation for local homeless people)" and a supporting statement was publicised.

In total therefore, 44 objections (of which 34 objectors had not signed the petition) were received. The planning issues raised in the 44 objections were as follows:

1. Impact on the community and other services = 32;
2. Impact on the character of the area = 17;
3. Traffic and parking issues = 12;
4. Noise and disturbance = 12;
5. Economic impact = 6;
6. Overlooking = 6;
7. Highway Safety = 3; and
8. Cumulative impact = 3.

It should be noted that due to the original description of development stating "15no. Self-Contained Flats" that the petition was submitted based on an understanding that the scheme would be a standard flat scheme with the associated demand for parking, rather than a specialist scheme for local homeless people which will create little demand by comparison. The same is true of the first four objections which were also based on this understanding. In view of this, because the issues of traffic and parking and highway safety are not likely to be a significant issue given the nature of the proposed use, they will be afforded slightly less weight.

CONSULTATIONS

Highways - No objections.

Environmental Health - No objection.

Housing Services - No objections.

Supported Housing - Support as scheme will assist in meeting their homelessness target.

3.1 Reason for referral to Planning Committee

3.1.1 The application has been referred to Planning Committee due to the submission of a 29-signature petition. Additionally, there were 44 objections, which also triggers the need for the scheme to be determined by the Planning Committee.

3.2 Site and Surroundings

3.2.1 Abbeyfield House, 65 Prenton Road West is a large detached 2.5 storey property, with a 2-storey rear extension, located in a Primarily Residential Area. Now vacant, the most recent use of the property was as a Residential Care Home.

3.2.2 The property fronts Prenton Road West and is bounded by a Day Nursery and Pre-School on one side (to the south west) and a telephone exchange on the other (to the north east). There are 2 storeys detached and semi-detached residential properties opposite Abbeyfield House, and allotments to the rear. Separating the application site from the telephone exchange and allotments to the rear is the intervening vehicular access to Prenton Bowling Club which is also located to the rear of Prenton Road West.

3.3 Proposed Development

3.3.1 The applicant, 'Wirral Churches' Ark Project', or 'Wirral Ark', as it is more commonly known, describes itself as a registered charity which exists to provide accommodation for the homeless, as well as providing support and guidance for individuals to secure permanent long term accommodation.

3.3.2 The charity provides a combination of housing and support tailored to the needs of each tenant with the intention of enabling them to live independently, and also an emergency night shelter project. Commissioned by Wirral Borough Council to deliver emergency short term provision and midterm "move on" accommodation, Wirral Ark currently operates at a number of other existing sites in the borough, namely:

- Mary Cole House, 7 Sidney Street, Birkenhead - 27 rooms each with en-suite bathroom.
- The Grand Trunk, 43 Old Bidston Road, Birkenhead - 6 self-contained studio flats for semi-independent living;
- Water View, 40 Waterloo Road, New Brighton - 6-bedroom house for women experiencing homelessness; and
- Ark Angel (at various locations through the borough) - 7-bedroom houses which provide semi-independent accommodation.

3.3.3 The context for this application is that there is a significant shortage in the Wirral of mid-term move on accommodation for recently homeless people to use to prepare for long term permanent accommodation. This results in the short-term accommodation becoming full of people who are ready to move on but are unable to find a place to move on to. Wirral Ark have subsequently been considering additional move on services that they may be able to establish, to help with the ongoing homelessness problem on the Wirral. With this aim in mind and following a search they took a lease on Abbeyfield House from a private landlord who bought the property at auction after the previous charity moved out.

3.3.4 The current proposal is for a change of use from C2 use (Residential Care Home) to C3 use (15no. Self-Contained Flats to provide emergency short term provision and mid-term "move on" accommodation for local homeless people who need additional support to maintain their tenancy.

3.3.5 There will be 15 self-contained rooms, each with their own kitchenette and bathroom. There

will be a shared lounge, conservatory, kitchen, utility room and W.C. on the ground floor, an ironing room on the first floor and an office on the second floor. Shared laundry facilities will also be provided. There will be minimal material change from the property's previous use as a care home where residents were living independently in their rooms on assured shorthold tenancies. Waste will be disposed in a shared bin for recycling and general waste, there will not be individual bins for each resident.

3.3.6 Residents will be single males and females over the age of 25 who need an element of support to help them to maintain their tenancy. They will be on license, on low incomes, typically Universal Credit, and it will be highly unlikely they will have a car. Residents will be people who have accessed Wirral Ark services or other supported accommodation services who have lived stably for some time, but need 'second stage' housing to develop basic living skills and increased confidence before moving into fully independent housing. Residents are risk assessed and referred to the service by their current support worker, therefore only people suitable to live semi-independently will be placed there. Residents will live in their rooms independently and will not typically stay at the property longer than 12 months.

3.3.7 In terms of staffing, there will be 1.6 full time equivalent Support Workers whose role it will be to support residents such as help them with their benefit claims and correspondence, with repairs and maintenance, budgeting, and identifying a suitable place to 'move on' such as the private rented sector or social housing. The Support Workers will work Monday to Friday. Residents will have access by phone to the charity's emergency On Call Manager 24/7 to report any issues or problems with the building outside of hours. There will be no fixed working hours, Support Workers will be onsite as and when they are needed (Mon-Fri). Support in this type of accommodation is described by the applicant as 'light touch', there is no requirement for a reception given that the aim is to move people into independent housing as soon as they have demonstrated they are ready to live independently. The aim is that the building provides the environment for residents to prepare to live independently, as is the case with Wirral Ark's other properties, where tenants live in shared houses or bedsits.

3.4 Development Plan

3.4.1 The following Wirral UDP Policies and Guidance have been considered in the determination of this planning application:

- Policy HS4: Criteria for New Housing Development;
- Policy HS13: Self-Contained Flat Conversions;
- Policy TR12: Requirements for Cycle Parking;
- Supplementary Planning Document 2: Designing for Self-Contained Flat Development and Conversions; and
- Supplementary Planning Guidance Note 42: Providing for Cyclists.

3.4.2 Policy HS4: Criteria for New Housing Development

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.

3.4.3 Policy HS7: Sheltered Housing

Proposals for sheltered housing 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;

(ii) Adequate private amenity space being provided at a rate of approximately 10 square metres for every bed space, except where the proximity of open space or other features adjoining the site justifies a reduced provision;

(iii) The site being easily accessible by foot to local shops and public transport; and

(iv) The proposal otherwise complying with Policy HS4 and Policy HS5

3.4.4 Policy HS13: Self-Contained Flat Conversions

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 accessways;

(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.

3.4.5 Policy TR12 Requirements for Cycle Parking

Where considered practicable and desirable by the Local Planning Authority, new development will be required to provide cycle parking facilities in line with the guidance below:

(iii) flats - one stand for every flat, to be provided within the curtilage of the development;

3.4.6 Supplementary Planning Document 2: Designing for Self-Contained Flat Development and Conversions

To be read alongside policy HS4, this document sets out that:

- Proposals should be of a scale relative to surrounding properties;
- All main habitable room windows should have reasonable outlook and not be lit solely by roof lights and not be in close proximity of high walls or fencing, steep embankments or established trees;
- Rooms of similar use should be stacked over each other to reduce the potential impact from vertical sound transmission. Layouts with main living rooms, toilets or bathrooms over or under neighbours' bedrooms should be avoided;
- 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; and
- Developers should also ensure that at least one third of the whole site remains available as private landscaped communal areas.

3.4.7 Supplementary Planning Guidance Note 42: Providing for Cyclists

Properly designed and located cycle parking facilities can encourage increased cycle usage and prevent the inappropriate parking of cycles on pavements, against shop windows or their chaining to posts, fences drainpipes and other street furniture. The preferred type of provision is therefore the purpose-designed cycle parking stand.

Stands need to give secure support to both wheels and frame. The best design is the "Sheffield" type rack, where space is at a premium, an alternative design is the more recent frame-clamping cycle stand. Where cycle parking provision is proposed within a building, a small steel loop (through which a lock can be passed) attached to a wall is an acceptable alternative. In all cases, the prime consideration must be security and the cycle parking area should be subject to frequent supervision by passers-by or staff and ideally under cover.

3.4.8 The following Policies and Guidance are also relevant but not directly applicable given the specialist nature of the proposed use:

- Policy HS6: Principles for Affordable Housing;
- Policy TR9: Requirements for Off Street Parking; and
- Supplementary Planning Document 4: Parking Standards.

3.5 Other Material Planning Considerations

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

3.5.2 Section 5: Delivering a wide choice of high-quality homes

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. To promote the development of a good mix of sites LPAs should support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes.

3.5.3 Section 11: Making Effective Use of Land

Paragraph 117 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.5.4 Section 12: Achieving well-designed places

Paragraph 127 states that planning decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.6 **Assessment**

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development (appropriateness of a change of use from C2 to C3 use in a Primarily Residential Area);
- Design;
- Highways; and
- Amenity.

3.7 Principle of Development:

3.7.1 The proposal is for change of use from C2 use (Residential Care Home) to C3 use (15no. Self-Contained Flats to provide emergency short term provision and mid-term "move on" accommodation for local homeless people). The application site is located within a Primarily Residential Area where the principle of residential development is considered acceptable subject to compliance with relevant policies and guidance outlined above.

3.7.2 Policy HS7 describes sheltered housing as residential development designed for the elderly and for those who need specialist care and ranges from modest sized houses and bungalows, often grouped together, to large flatted schemes, with or without a warden on-site. Policy HS7 permits such development subject to the proposals being of a scale that relates well to surrounding property and also complies with criteria set out in Policy HS4. The site is within walking distance to the shops/facilities on Woodchurch Lane and Borough Rd.

3.8 Design:

3.8.1 With the exceptions of the addition of a cycle store to the front of the property, the obscuring of 5no. windows on the south west side elevation, and the erection of a 2m high closed board fence along the boundary shared with Building Blocks Day Nursery and Pre-School (all of which are acceptable), no other external alterations are proposed. The internal layout is entirely unchanged, which ensures that the proposed density is no greater than the density of the previous care home. Additionally, the bedroom sizes on the proposed layout drawing have been reviewed by Housing Services who are satisfied that these meet the prescribed minimum space standards. The proposed bicycle store and fence materials and design complement the existing.

3.8.2 Overall, the appearance, layout and density of the proposed development is not considered to be detrimental to the character and appearance of the host building, street scene or the surrounding area and so are considered reasonable.

3.9 Highways:

3.9.1 Given the specialist nature of this scheme there are not considered to be any Highway Implications relating to this proposal. Highways were consulted but raised no objections,

subject to 1no condition pertaining to the need for cycle storage for 15no. bicycles to be provided.

- 3.9.2 SPD4: Parking Standards usually requires a maximum of 1 car parking space per self-contained flat, however, this is not considered to be an appropriate requirement given that residents are homeless, and so are highly unlikely to own cars. Therefore the existing 5no. car parking spaces available within the curtilage are considered sufficient for the requirements of both residents and staff because the associated trips generated by the proposal would be of a low level similar to those which the building's former use as a residential care home would have generated. Servicing can be carried out in a similar fashion to the former use without causing any significant impacts to the road network, particularly given that the vehicular access remains unchanged.
- 3.9.3 The applicant's agent provided a 'Statement concerning the cycle storage requirement' which stated that there is no requirement for cycle storage at any of their other accommodation projects, including at the 27-bedroom hostel Mary Cole House in Birkenhead, which recently underwent major renovation works. The applicant stated that at no point during the design development / planning stages for this or any other location was it deemed a requirement to provide cycle storage, nor has Wirral Ark identified any current or potential demand from clients for cycle storage at any of their accommodation projects.
- 3.9.4 Notwithstanding this justification, Highways remain of the view, in line with Policy TR12: Requirements for Cycle Parking, that one stand for every flat within the curtilage of the development should be provided. The condition requested by Highways therefore sets out the need for cycle storage to be provided in a secure and covered building which is able to store a minimum of 15 bicycles (one bicycle per apartment). It was requested that these details are submitted prior to the first occupation/use of the building. In response to this, a secured and covered bicycle store for 16no. bicycles has been outlined on the proposed site plan (drawing ref: 64_2019_06 Rev.A) and the proposed cycle and refuse details plan (drawing ref: 64_2019_07 Rev.C).
- 3.10 Environmental/Sustainability:
- 3.10.1 There are no Environmental/Sustainability issues relating to these proposals. Environmental Health was consulted but raised no objections. Any unreasonable noise and disturbance would need to be reported to Environmental Health who in lieu of such incidents stopping would take appropriate enforcement action in accordance with the relevant legislation.
- 3.11 Amenity:
- 3.11.1 In terms of amenity, it is considered that the proposed change of use from a residential care home to self-contained flats to provide emergency short term provision and mid-term "move on" accommodation for local homeless people would not have a detrimental impact on surrounding amenity. The existing rear extension was approved principally because the rear of the property does not overlook any residential gardens, rather it overlooks a commercial use. Whilst it is appreciated that a Day Nursery and Pre-School is a sensitive commercial use, it does not alter the fact that the rear extension is pre-existing and has been in residential use for some time. The change in end-user does not alter the fact that the principle of residential development in this location is acceptable given that the property is located within a Primarily Residential Area.
- 3.11.2 It is accepted that there will be a continuation of some overlooking in respect to the neighbouring sensitive commercial use, therefore, to help mitigate this, the applicant has agreed to obscure the side facing secondary windows in flats 7, 13 and 14 on the first second and third floors respectively. Principal windows cannot be obscured, so it would be both unreasonable and unacceptable to request this in respects to the principle windows in flats 7 and 13, which in any case do not look directly over the rear play area. A reasonable outlook must be retained in line with Policy HS13: Self-Contained Flat Conversions.
- 3.11.3 In addition to this, the applicant has agreed to erect a 2m high closed board fence along the boundary with the Day Nursery and Pre-School, anything higher than this would be overbearing and would potentially have an impact on the levels of light received by ground

floor flat 3, the kitchen and the conservatory at the rear.

- 3.11.4 In terms of the Abbeyfield House's communal amenity space provision, this is the same level of provision which served the previous care home and is considered to be adequate.
- 3.11.5 Separation distances do not apply in this instance as no new first, second or third floor habitable room windows on main elevations are proposed.
- 3.11.6 A petition signed by 29 residents was received to the proposed scheme. The planning issues raised in the petition were as follows (a summary of how these issues are either not considered to be significant or have been mitigated against as part of the scheme is provided against each):
1. Traffic and parking issues - These concerns related to a standard 15-unit residential scheme and the demand for car parking provision this would have created. The associated trips generated by the proposal would be of a low level and similar to those which the care home would have generated;
 2. Waste storage - Details of waste storage provided on the proposed site plan; and
 3. Excessively high-density residential development not in keeping with surrounding densities - the density is no higher than the previous care home use.

In total, 44 objections (of which 34 objectors were not signatories of the petition) were received. The planning issues raised in the objections were as follows (a summary of how these issues are either not considered to be significant or have been mitigated against is provided against each):

1. Impact on the community and other services (x32) - The property is located in a Primarily Residential Area where the principal of residential development is acceptable;
 2. Impact on the character of the area (x17) - Other than the addition of a cycle store to the front of the property, the obscuring of 5no. windows on the south west side elevation, and the erection of a 2m high closed board fence along the boundary shared with Building Blocks Day Nursery and Pre-School, no other external alterations are proposed which could impact the character of the area;
 3. Traffic and parking issues (x12) - These concerns related to a standard 15-unit residential scheme and the demand for car parking provision this would have created. The associated trips generated by the proposal would be of a low level and similar to those which the care home would have generated;
 4. Noise and disturbance (x12) - Environmental Health were consulted and raised no objections. Any unreasonable noise and disturbance would need to be reported to Environmental Health who in lieu of such incidents stopping would take appropriate enforcement action in accordance with the relevant legislation;
 5. Economic impact (x6) - The property is located in a Primarily Residential Area where the principal of residential development is acceptable;
 6. Overlooking (x6) - The property is located in a Primarily Residential Area where the principal of residential development is acceptable. The overlooking relates to a commercial use located within a Primarily Residential Area as opposed to another residential property. The applicant as agreed to measures to reduce overlooking where possible;
 7. Highway Safety (x3) - These concerns related to a standard 15-unit residential scheme and the demand for car parking provision this would have created. The associated trips generated by the proposal would be of a low level and similar to those which the care home would have generated; and
 8. Cumulative impact (x3) - The property is located in a Primarily Residential Area where the principal of residential development is acceptable.
- 3.12 Other:
- 3.12.1 In normal circumstances a 15-unit self-contained flat scheme comprising market units would require a proportion of those flat to be affordable units in line with Wirral UDP Policy HS6: Principles for Affordable Housing and the provisions of the revised NPPF. However, in this instance it is clear that the self-contained flats are specialist in nature and so do not require

an affordable consequential. Housing Services have liaised with Supported Housing who are aware of and support the scheme, which will assist to meet their homelessness target.

- 3.12.2 To avoid the possibility of the property being used for market accommodation without an affordable element in future by some party other than Wirral Ark or another similar agency, a condition has been attached to the decision notice at the request of Housing Services. The purpose of the condition is to ensure that the property shall only be used by Wirral Ark (or another agency), for emergency short term provision and mid-term "move on" accommodation for local homeless people, and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

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 conversion of this property will not lead to an intensification of the site, and it will not harm the overall character and appearance of the area or the amenities of nearby residential properties. The proposal is therefore considered to comply with Wirral Unitary Development Plan Policies HS4 and HS13 and the provisions of the revised 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 (27 April, 2020) and listed as follows: (drawing nos: 64_2019_04 Rev.B, dated: 27 April, 2020; 64_2019_05 Rev.D, dated: 27 April, 2020; 64_2019_06 Rev.C, dated: 27 April, 2020; and 64_2019_07 Rev.C, dated: 27 April, 2020)

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

3. The 1no. secondary bedroom window to flat 7, the 1no. secondary bedroom window to flat 13, and the 2no. secondary bedroom windows and 1no. bathroom window to flat 14 located on the south-west side elevation shall not be glazed otherwise than with obscured glass (windows to be fixed shut or non-opening up to a height of 1.7m and top hung, opening inwards or outwards) and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policies HS4 and HS13 of the Wirral Unitary Development Plan.

4. The property shall be used by Wirral Ark, or another agency, for emergency short term provision and mid-term "move on" accommodation for local homeless people, and for no other purpose (including any other purpose in Use Class C3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any subsequent Order or statutory provision revoking or re-enacting that Order) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that if Wirral Ark or another agency were not operating move-on accommodation from the building that the Local Planning Authority would expect affordable housing to be provided in accordance with the provisions of the revised National Planning Policy Framework.

5. 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: 28/02/2020

Expiry Date: 04/02/2020