

11 November 2021

Planning Committee

Reference:
COMX/21/01509

Area Team:
**Development
Management Team**

Case Officer:
Mr N Williams

Ward:
Wallasey

Location: 215 SEAVIEW ROAD, LISCARD, CH45 4PD
Proposal: Conversion of ground floor shop unit to provide one ground floor flat under General Permitted Development Order Schedule 2, Part 3, Class M (Amended Scheme)

Applicant: Mr S Hand
Agent : BDS Consultants

Site Plan:



Planning History:

There is no relevant planning history

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

- 1.1 Councillor Ian Lewis requested that the application should be presented to Planning Committee given the level of objection received.

2.0 SUMMARY OF REPRESENTATIONS

REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 35 notifications were sent to adjoining properties, including a second notification letter being sent out following receipt of amended plans. At the time of writing, there had been 25 objections received. These objections can be summarised as follows:

- Loss of shop and subsequent impact on the community;
- Impact on parking;
- Concerns that use may be similar to a HMO;
- Impact of building works on residential amenity;
- Increase in bins required.

CONSULTATIONS

Highways - No objection subject to cycle parking being provided

Environmental Health - No objection

3.1 Site & Surroundings

- 3.1.1 The property is currently a vacant retail unit, most recently used for charity clothing. The applicant advises that the upper floors are currently in residential use. The building is set within a small commercial area, which contains three separate blocks of properties. The application property is within the middle block, which is the only one that does contain other residential properties (209 and 211 Seaview Road have previously been converted from shops to residential following planning permission being granted). All other units, stretching from 203 - 241 Seaview Road remain in commercial use. Despite this, the area is designated as a Primarily Residential Area in the Wirral Unitary Development Plan.

3.2 Proposed Development

- 3.2.1 It is proposed to convert a vacant retail premises into residential use, under the General Permitted Development Order Schedule 2, Part 3, Class M. Additional works required for this are the removal of a shop front (the front to be built up with residential-style windows) and a minor change to the rear to install French doors in place of a window.

- 3.2.2 The plans as originally submitted proposed two new residential units at ground floor level, with one new window to the front. One of these units failed to meet the required space standards and an amended plan was subsequently submitted. The amended plan changed the proposed ground floor from being potentially two 'bedsit'-type units, to one 2-bedroom unit. Additionally, the front elevation was changed to incorporate three small windows and a mock shop front fascia board. Further consultation letters were sent to surrounding properties on 13th October.

3.3 Development Plan

- 3.3.1 As a Prior Notification under the General Permitted Development Order, the provisions of the development plan do not strictly apply in this instance.

3.4 Other Material Planning Considerations

- 3.4.1 Class M of Schedule 2, Part 3 of the Planning (General Permitted Development)(England) Order 2015 permits development consisting of a change of use of a building within Class A1 (shops) to a use falling within Class C3 (dwellinghouses), together with 'building operations reasonably necessary to convert the building'. Paragraph M.1 details the circumstances in which development is not permitted, none of which apply to this site. As

such the development can comprise permitted development subject to the conditions specified at paragraph M.2

3.4.2 Paragraph M.2 states that development under Class M is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) contamination risks in relation to the building,
- (c) flooding risks in relation to the building,
- (d) whether it is undesirable for the building to change to a use falling within Class C3 (dwellinghouses) because of the impact of the change of use...on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops), but only where there is a reasonable prospect of the building being used to provide such services.
- (e) the design or external appearance of the building,
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses.

The General Permitted Development Order (GPDO) also now stipulates that permission is not granted for residential units which fall below the Nationally Described Space Standards. The provisions of paragraph W (prior approval) apply in relation to this application.

Paragraph W of the Order notes amongst other matters that a Local Planning Authority must take into account any representations made to them under the public or stakeholder consultation, and that they must have regard to the National Planning Policy Framework in so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

3.5 Assessment

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

- Transport and Highways Impacts of Development;
- Contamination Risks;
- Flooding risks;
- Whether it is undesirable for the A1 use to be lost to residential use;
- The design or external appearance; and
- The provision of adequate natural light in all habitable rooms of the dwellinghouses
- National Space Standards

3.6 Transport and Highways Impacts:

3.6.1 The change of use to the building does not raise any highway safety or network capacity concerns. The site is located close to Liscard Town Centre and is considered accessible by public transport, with bus stops and frequent services in operation along Seaview Road. The bus stops are also served by dedicated pedestrian crossing facilities. The change of use is also considered to produced a less intensive use at the site compared to the current use as a shop (A1 retail).

3.6.2 The lack of any in-curtilage parking is also accepted due to the accessible location and the nature of the ground floor apartment, which is less likely to attract families who may rely more on private vehicles as their primary mode of travel.

3.6.3 The submitted plans indicate that secure cycle parking will be provided within the rear yard area of the site. This is acceptable, with a condition attached to secure this.

3.6.4 In conclusion, the proposal does not result in unacceptable transport and highway impacts which would warrant refusal of the application.

3.7 Contamination Risks:

3.7.1 It is not expected that the development would involve any significant works to disturb the

ground and there are no known contamination risks at the site. It is therefore not expected that the scheme would be at particular risk of land contamination.

3.8 Flooding Risks:

3.8.1 The site is not within flood zones 2 or 3 as defined by the Environment Agency, nor is it within an area which has critical drainage problems. As such, it is not anticipated that the development would be at particular risk from flooding. The submitted proposals do not increase impermeable areas within the site, and it is therefore accepted.

3.9 Whether it is undesirable for the A1 use to be lost to residential use:

3.9.1 The premises is a vacant retail store (a private charity shop named Cash 4 Clothes). It is unclear how long it has been vacant for. It is acknowledged that the units either side are in use - however, on balance, given that planning permission has already been granted to convert two units within the same row of shops, it is considered that there is insufficient reason to sustain a refusal on these grounds. A significant number of commercial premises will remain and these will provide opportunity for sufficient local services to be maintained within this location. The whole parade of three blocks is relatively healthy and provides a wide range of services. Additionally, the site is within close proximity to Liscard Town Centre, so the loss of this one unit is unlikely to have a damaging impact upon the services being provided. An added consideration is that the previous use as a private charity store is unlikely to be considered as offering a particular local service that is essential to be retained.

3.10 The Design or External Appearance:

3.10.1 The proposed front elevation has been amended so that it now incorporates three smaller windows (as opposed to one larger window). This arrangement matches the other nearest conversion which has taken place along this row of properties (No. 211). The amended elevation also introduces a mock shop front fascia board, similar to both of the conversions that have taken place. These amendments help to break up the front elevation, brings a level of consistency with the other conversions, and provides sufficient design interest.

3.11 Provision of adequate natural light

3.11.1 The proposal will result in three separate 'habitable' rooms (a living room and two bedrooms). The living room will be served by the three windows to the front, whilst both bedrooms will be served by french doors. There is therefore sufficient adequate natural light provided for the apartment.

3.12 Nationally Described Space Standards:

3.12.1 Since April 2021, the GPDO states that Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—
(a) where the gross internal floor area is less than 37 square metres in size; or
(b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015

3.12.2 The submitted plans originally proposed a unit that fell below these standards and therefore could not be permitted. However, the plans have subsequently been amended to provide just one residential unit at ground floor, with a floor space of approximately 73 square metres. This aspect of the proposal is therefore acceptable.

Summary of Decision:

Having regards to the individual merits of this application the decision to <>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 development meets the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, and it would not have an adverse effect on matters relating to highways and transport, contamination, flooding, noise, provision of local services and would provide adequate natural light and space standards. As such it is recommended that prior approval for the scheme be

granted.

Recommended Decision: **Prior Approval Given**

Recommended Conditions and Reasons:

1. The development hereby approved shall be completed within a period of 3 years starting with the date of this decision.

Reason: As required by paragraph O.2.(2) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 12th October and listed as follows: 02 Proposed Plans 215SR Rev B; 03 Elevations 215SR Rev A

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

3. Prior to first occupation of the ground floor residential unit the secure bike storage, as shown on Drawing 04 Site and Location Plan-216SR Rev A, shall be provided and made available for use, 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 regards to the National Planning Policy Framework

Last Comments By: 03/11/2021 14:23:53

Expiry Date: 12/11/2021