

Planning Committee

17th October 2019

Reference:
APP/19/00887

Area Team:
**Development
Management Team**

Case Officer:
Mr G Roberts

Ward:
Seacombe

Location:
Proposal:

155-157 BRIGHTON STREET, EGREMONT, CH44 8DU
Proposed Change of use of existing furniture shop with ancillary storage (A1 & B8 Use) to 2no. 6 Bedroom HMOs (C4 Use) within the existing building curtilage with small single storey rear extension and external changes to existing shop front

Applicant:
Agent :

R Blaney
Plan Design Go Ltd

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Primarily Residential Area

Planning History:

Location: 155-157 BRIGHTON STREET, EGREMONT, CH44 8DU

Application Type: Prior Approval Commercial PD

Proposal: Proposed residential development change of use from former furniture store (storage and sales) (A1 Use class B8 use class) to 9 No 1 bedroom residential apartments (C3 use class). Within the existing building curtilage with external changes to existing shop front.

Application No: COMX/19/00491

Decision Date: 11/04/2019

Decision Type: Returned invalid

Location: 155-157 BRIGHTON STREET, EGREMONT, CH44 8DU

Application Type: Prior Approval Commercial PD

Proposal: Change of use from former furniture store (storage) (B8 use class) to residential accommodation (c3 use class).

Application No: COMX/19/00492

Decision Date: 11/04/2019

Decision Type: Returned invalid

Summary of Representations and Consultations Received:**1.0 WARD MEMBER COMMENTS**

- 1.1 The application has been removed from delegation by Councillor Paul Stuart. The planning reason given for its removal is overconcentration of HMOs in the area.

2.0 SUMMARY OF REPRESENTATIONS**REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications 12 notifications were sent to adjoining properties. At the time of writing this report no objections have been received.

CONSULTATIONS

Highways - No objections

Housing Strategy - Comments/Informatives provided

Environmental Heath - No objection.

3.1 Reason for referral to Planning Committee

- 3.1.1 The application has been removed from delegation by Councillor Paul Stuart. The planning reason given for its removal is over concentration of HMOs in the area.

3.2 Site and Surroundings

- 3.2.1 The application site (No.155-157 Brighton Street) comprises a part two and part three storey building containing an antique furniture shop at ground floor with ancillary storage above (A1 and B8 use). There is also a backyard at the rear of the plot. The shop retains traditional shop front features.
- 3.2.2 The plot fronts Brighton Street (between the Clarendon Road and Falkland Road junctions), and backs onto a private access beyond which are residential back yards. On one side the application property adjoins 'Wirral Ways to Recovery' which is a substance misuse counselling service centre on the corner of Brighton Street and Clarendon Road, on the other side there is a private access to a neighbouring residential care home. A small parade of shops and the Riversdale Road junction are located on the opposite side of Brighton Street, which is still predominately retail in character. Wallasey Town Hall complex is located some 100m to the south, with the roads leading away from Brighton Street

containing a mix of family dwellings and flats.

3.3 Proposed Development

3.3.1 The proposal is for a change of use from an existing furniture shop with ancillary storage (A1 & B8 Use) to 2no. 6 Bedroom HMOs (C4 Use), the erection of a single storey rear extension and external alterations to the existing shop front.

3.4 Development Plan

3.4.1 Policies HS4 'Criteria for New Housing Development', HS11 'House Extensions', HS14 'Houses in Multiple Occupation' and TR12 'Requirements for Cycle Parking' of the Wirral Unitary Development Plan have been considered in the determination of this planning application.

3.4.2 Policy HS4 sets out that proposals for new housing development within Primarily Residential Areas will be permitted subject to the proposals (inter alia):

- being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- not resulting in a detrimental change in the character of the area; and
- providing design features which contribute to a secure environment and reduce the likelihood of crime.

3.4.3 Policy HS11 states that Proposals for house extensions will be permitted subject to (inter alia):

- the scale of the extension being appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours' habitable rooms and not so arranged as to result in significant overlooking of neighbouring residential property;
- the materials matching or complementing those of the existing building; and
- design features such as lintels, sills, eaves and roof form and line matching or complementing those of the existing building.

3.4.4 Policy HS14 states that Proposals for the conversion of existing buildings to multi-occupancy will not be permitted unless the proposal fulfils all of its criteria, including the following:

- the property being of sufficient size to accommodate the proposal and not of modern domestic scale;
- if the property is not detached then adjoining property is not in single family occupation;
- the proposal not resulting in a private dwelling having an HMO on both sides;
- the proposal not resulting in a change in the character of the surrounding area which would be detrimental;
- the proposal not resulting in a concentration of HMO's in a particular area such that the character of the area is adversely affected;
- any extensions required complying with Policy HS11;
- the proposal otherwise complying with Policy HS4 and Policy HS5.

Existing HMO's and valid planning permissions must not comprise more than 20% or more of the properties forming the street frontage within a street block.

3.4.5 Policy TR12 states that where considered practicable and desirable by the Local Planning Authority, flat developments will be required to provide one bike stand for every flat, to be provided within the curtilage of the development.

3.4.6 Policies WM8 'Waste Prevention and Resource Management' and WM9 'Sustainable Waste Management Design and Layout for New Development' of the Joint Waste Local Plan for Merseyside and Halton are also relevant.

3.5 Other Material Planning Considerations

3.5.1 The revised National Planning Policy Framework (NPPF) is a material planning

consideration.

- 3.5.2 Paragraph 8 states that in order to achieve sustainable development, one of the objectives of the planning system, from a social perspective, is to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment.
- 3.5.3 Paragraph 117 states that planning policies and 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 Paragraph 124 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to live and work.
- 3.5.5 Paragraph 127 states that planning decisions should ensure that developments (inter alia):
- 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 HMO development and residential extension in a primarily residential area);
 - Design;
 - Amenity; and
 - Cumulative Impact.
- 3.7 Principle of Development:
- 3.7.1 The site is designated as part of the Primarily Residential area where residential development is acceptable in principle. The principle of a change of use from an antique furniture shop at ground floor with ancillary storage above, to two 6-bed HMOs is therefore acceptable in principle subject to compliance with the above-mentioned policies.
- 3.8 Design:
- 3.8.1 There will be changes to the external appearance of the building with the shopfront being removed and replaced with a new insulated cavity rendered wall similar to that of neighbouring 151-153 in terms of materials, colour and design. This is considered to be acceptable.
- 3.8.2 The rear infill extension which is to provide a laundry room is small scale in nature (single storey and only projecting 1.9m back to be flush with the rest of the lean-to rear elevation) whilst the design features and materials match the existing. In view of this it will pose no issues in terms of harming the character and appearance of the host building or the surrounding area.
- 3.8.3 The internal layout of the HMO is considered to be acceptable. A concern with the first iteration of the scheme was the lack of any shared living areas and the lack of outlook which the 2no. ground floor bedrooms (bedrooms 01) initially located at the front of the property would have had due to the need for their windows to be largely obscured for

privacy reasons (because the rooms were fronting Brighton Street). The applicant/agent agreed to reconfigure the internal layout so that the two ground floor front rooms now contain shared living areas, the two bedrooms (bedrooms 01) were moved to the rear of the ground floor in place of the two kitchen/diners which are now centrally located on the ground floor. Two further centrally located ground floor bedrooms (bedrooms 02) replace the two first floor kitchen/diners which have been consolidated at ground floor level.

- 3.8.4 All bedrooms are comfortably larger than the national minimum requirement of 6.51m² for a room occupied by 1 adult and 10.22m² for a room occupied by 2 adults. The Housing Strategy team were consulted and raised no objections to the scheme on this basis. Each room has its own integral en-suite, with a large communal kitchen/dining/living area on the ground floor.
- 3.8.5 The external layout at the rear is considered to be acceptable. Provision is made in adherence with Policy TR12, to store 12 bicycles (1 per flat) secured and covered on Sheffield stands. Adequate provision is also made for bin and recycling storage in line with Policies WM8 and WM9. The rear yard is accessible from all bedrooms/flats with easy access to the public highway (Clarendon Road) for collection via two secured gates.
- 3.8.6 Overall, it is not considered that the design, scale or use proposed will have an adverse impact on the character and appearance of the host building or the surrounding area and so is compliant with Policies HS4, HS11 and HS14 and the provisions of the NPPF.
- 3.9 Highways:
- 3.9.1 There are no Highway Implications relating to this proposal. Highways were consulted but raised no objections.
- 3.10 Environmental/Sustainability:
- 3.10.1 There are no Environmental/Sustainability issues relating to these proposals. Environmental Health were consulted but raised no objections.
- 3.11 Amenity:
- 3.11.1 None of the new bedrooms resulting from this proposal result in significant overlooking or loss of privacy and no new first or second floor windows are proposed. The modest ground floor rear infill extension will not pose any issues in relation to loss of light or outlook.
- 3.11.2 Separation distances do not apply in this instance as the property does not directly front or back onto any residential main elevations.
- 3.11.3 No objections to the proposed scheme were received from the occupants of neighbouring properties.
- 3.11 Cumulative Impact:
- 3.12.1 A search of historic planning applications for large HMOs (i.e. 6+ occupants living as a single household) in the immediate area has been undertaken. This revealed that no large HMOs, for which planning permission had been sought at least, are present.
- 3.12.2 This left the possibility that large HMOs, for which planning had not been sought, and/or small HMOs (i.e. up to 6 occupants living as a single household) for which planning is not required under the General Permitted Development Order 2015, could still be present. In view of this a request was made to the Council's Housing Team to undertake a check of Council Tax records pertaining to neighbouring addresses for evidence of small or large HMO use. This research revealed no such uses and so it is not considered that there is an over concentration of HMOs (small or large) in this area.
- 3.12.3 The addresses searched by Housing were as follows:
- Nos. 149, 149a, 172, 173, 174, 175, 176, 177, 178, 180, 182, 184, 186, 188, 190, 192, 194 Brighton Street;
 - Nos. 1, 3, 5, 7, 9 Falkland Road;
 - Nos. 1, 3, 4, 5, 6, 8, 10 Clarendon Road; and
 - No. 2 Littledale Road.

Nos 4 and 6 Clarendon Road and No.5 Falkland Road (all to the rear) were found to be self-contained flats.

- 3.12.4 In line with Policy HS14, the proposal is therefore not considered to result in a concentration of HMOs in the area such that the character of the area would be adversely affected.

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: -

This proposed change of use from a furniture shop with ancillary storage (A1 and B8 use) to 2no. 6 bedroom HMOs (C4 Use) including a single storey rear extension and external alterations to the existing shop front is considered to be acceptable in what is a sustainable location and it is unlikely to impinge on the residential amenities of surrounding properties through noise and general disturbance or impact on the general character of the area. The proposal complies with relevant policies and is therefore deemed to be acceptable.

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 (19 August 2019 and 4 October 2019) and listed as follows: (drawing nos: 19029-102-F, dated: 4 October 2019; and 19029-104-C, dated: 19 August 2019)

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

3. Prior to first occupation the secure cycle parking facilities shown on the approved plans shall be made available for use by occupiers 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:

1. The approved HMO will need to be licenced by Wirral Borough Council. Any deviation from the approved scheme which is found following a Licensing Inspection/Compliance visit may result in the licence being varied.

Last Comments By: 05/09/2019

Expiry Date: 06/08/2019