



Planning Committee

Date:	Thursday, 18 January 2018
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Brenda Hall
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1. MINUTES (Pages 1 - 12)

To approve the accuracy of the minutes of the meeting held on 14 December 2017.

2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the committee are asked whether they have any personal or prejudicial interests in connection with any application on the agenda and, if so, to declare them and state the nature of the interest.

3. REQUESTS FOR SITE VISITS

Members are asked to request all site visits before any application is considered.

4. APP/17/00179: OLD ANSELMIANS RUGBY CLUB, EASTHAM VILLAGE ROAD, EASTHAM, CH62 0BJ: MIXED DEVELOPMENT FOLLOWING THE DEMOLITION OF THE EXISTING PAVILION BUILDING INCLUDING THE CONSTRUCTION OF 21 HOUSES, THE ERECTION OF A SPORT PAVILION/COMMUNITY FACILITY, THE CONSTRUCTION OF A CAR/COACH PARK, THE REPOSITIONING OF FLOOD LIGHTS, THE LAYOUT OF NEW PITCHES AND THE ERECTION OF BALL CATCHMENT FENCING. (Pages 13 - 30)

5. APP/17/00743: ELMEE'S DISCOUNT, 186 BOROUGH ROAD, SEACOMBE, CH44 6NJ: RETENTION OF SHOP AT GROUND FLOOR AND CHANGE OF USE OF THE REAR STORE, FIRST AND SECOND FLOOR OF THE BUILDING TO A 5 BEDROOM HMO (USE CLASS C4) WITH ASSOCIATED ALTERATIONS. (AMENDED SCHEME). (Pages 31 - 36)

6. **APP/17/01009: THE SHIP INN, 208 BRECK ROAD, WALLASEY VILLAGE, CH44 2ED: ERECTION OF 9 NEW DWELLINGS AND ASSOCIATED LANDSCAPING ON LAND ADJACENT TO THE FORMER SHIP INN, BRECK ROAD, WALLASEY. (Pages 37 - 46)**
7. **APP/17/01092: ALEXANDER HALL, ROCKY LANE, HESWALL, CH60 0BY: DEMOLITION OF THE ALEXANDER HALL AND ERECTION OF TEN APARTMENTS - AMENDMENTS TO APPROVED PROPOSAL, APP/16/00024 & APPROVED PROPOSAL APP/15/00718 INCLUDING AMENDMENTS TO LIFT SHAFTS, WINDOW STYLE & INTERNAL ALTERATIONS, CONDITIONS ATTACHED TO APP/16/00024 ADDRESSED. (Pages 47 - 52)**
8. **APP/17/01114: HILBRE COURT HOTEL, BANKS ROAD, WEST KIRBY, CH48 3HT: RETROSPECTIVE PLANNING APPLICATION FOR PROPOSED DECKING TO FRONT ELEVATION AND ASSOCIATED LANDSCAPING. INCLUDING DOOR AND WINDOW AMENDMENTS. (AMENDED). (Pages 53 - 64)**
9. **APP/17/01186: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG INSTALLATION OF FOUR NEW ACCESS DOORS (Pages 65 - 68)**
10. **APP/17/01222: ASHTON COURT, BANKS ROAD, WEST KIRBY, WIRRAL CH48 0RJ: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 14 NO. NEW BUILD RESIDENTIAL PROPERTIES (Pages 69 - 76)**
11. **APP/17/01263: 3-5 TOBIN STREET, EGREMONT, CH44 8DF: INSTALLATION OF 3 NO ADDITIONAL WINDOWS TO THE NORTH EAST SIDE ELEVATION OF THE BUILDING (AMENDED DESIGN). (Pages 77 - 82)**
12. **APP/17/01274: 9 RUSSELL ROAD, ROCK FERRY, CH42 1LU: THE PROPOSED AREA WILL BE USED FOR A PERSONAL TRAINING STUDIO WITH A SMALL AREA (WHICH IS ALREADY SEPARATED AND WAS PREVIOUSLY OFFICES) FOR A BEAUTY AND MAKEUP ROOM. THE MAJORITY OF THE AREA WILL HAVE EQUIPMENT SOLELY FOR PERSONAL TRAINERS TO USE FOR THEIR CLIENTS FOR 1-2-1 SESSIONS (Pages 83 - 88)**
13. **APP/17/01287: 21 GULLS WAY, HESWALL, CH60 9JG: RESUBMISSION: REMOVAL OF EXISTING ROOF AND NEW ROOF WITH RECONFIGURED LAYOUT INCLUDING FRONT AND REAR DORMER WINDOWS. NEW SINGLE STOREY SIDE AND REAR EXTENSION. REMODELLED FRONT ELEVATION INCLUDING NEW FRONT PORCH (Pages 89 - 96)**
14. **APP/17/01331: STONE HIVE, DARMONDS GREEN, WEST KIRBY, CH48 5DU: CONSTRUCTION OF TWO-STOREY DWELLING ADJACENT TO STONE HIVE (Pages 97 - 104)**

15. APP/17/01388: 42 CAVENDISH DRIVE, ROCK FERRY, CH42 6RQ: REAR GROUND FLOOR EXTENSION (RETROSPECTIVE). (Pages 105 - 110)

16. JUDICIAL REVIEW UPDATE

The Assistant Director for Environmental Services will give a verbal update.

17. PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 05/12/2017 AND 08/01/2018 (Pages 111 - 134)

18. PLANNING APPEALS DECIDED BETWEEN 01/10/2017 AND 31/12/2017 (Pages 135 - 138)

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PLANNING COMMITTEE

Thursday, 14 December 2017

Present:

Councillor A Leech (Chair)

Councillors	S Foulkes	T Johnson
	E Boulton	S Kelly
	P Cleary	I Lewis
	D Elderton	D Realey
	P Hackett	J Walsh
	K Hodson	I Williams

96 **MINUTES**

The Director for Business Services submitted the minutes of the meeting held on 16 November 2017.

Resolved- That the minutes be approved.

97 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were asked to declare any disclosable pecuniary and non –pecuniary interests in connection with any items on the agenda and to state the nature of the interest.

None were declared.

98 **REQUESTS FOR SITE VISITS**

The following site visits were unanimously approved.

AGENDA ITEM 4 - APP/17/00183: OLD ANSELMANS RUGBY CLUB, EASTHAM VILLAGE ROAD, EASTHAM, CH62 0BJ.

MIXED DEVELOPMENT FOLLOWING THE DEMOLITION OF THE EXISTING PAVILION BUILDING INCLUDING THE CONSTRUCTION OF 21 HOUSES, THE ERECTION OF A SPORT PAVILION/COMMUNITY FACILITY, THE CONSTRUCTION OF A CAR/COACH PARK, THE REPOSITIONING OF FLOOD LIGHTS, THE LAYOUT OF NEW PITCHES AND THE ERECTION OF BALL CATCHMENT FENCING.

AGENDA ITEM 12 - APP/17/01186: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG: INSTALLATION OF FOUR NEW ACCESS DOORS

The site visits will be starting at 10.15 on Tuesday 16 January 2018. Order not confirmed.

99 **ORDER OF BUSINESS**

The Chair sought and received approval from the Committee to move the following items up the agenda due to attendance of the public with interests in these items. Agenda Items 5: Hoylake Presbyterian Church, Agenda Item 6: Storeton Hall Farm, Agenda Item 10: 3 Shepherd Close, Agenda Item 11: 11 Lang Lane. These items were heard first in this order followed by the remaining items in the order of business except Item 9: Land at New Chester Road was heard before Item 8: Land North of Tyrer Street and Ribble Street.

100 **APP/17/00183: HOYLAKE PRESBYTERIAN CHURCH, ALDERLEY ROAD, HOYLAKE CH47 2AX: CONVERSION, PARTIAL DEMOLITION AND EXTENSION OF EXISTING CHURCH TO FORM 18 NO. APARTMENTS**

The Managing Director for Delivery submitted the above application for consideration.

The Lead Petitioner addressed the Committee.

The Agent for the Applicant addressed the Committee.

A Ward Councillor addressed the Committee.

On a motion for refusal moved by Councillor D Elderton and seconded by Councillor E Boulton it was:

Lost (6:7)

On a motion moved by Councillor D Realey and seconded by Councillor S Foulkes it was:

Resolved-(7:6) That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6th July 2017 and listed as follows: 477.001; 477.002; 477.003; 477.004; 477.005; 477.007; 477.008; 477.009; 477.010, and the amended plan received on 11th December 2017 and listed as: 477.006 Revision A

3. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

4. The following windows shall be obscurely glazed and non-opening up to a minimum of 1.7m above finished floor level, and shall be retained as such thereafter:

- All first-floor windows in the north-west elevation of the proposed extension;**
- The bathroom and kitchen windows serving Plot 9;**

- The first-floor, north-west window in the existing church, serving a communal area (between Plots 9 and 10);
- The west-facing windows in the oriel bays on the north-west elevation of the existing church (serving Plots 10 and 16).

5. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

6. The development hereby permitted by this planning permission shall be carried out in accordance with the approved documents:

- Sustainable Drainage Strategy <27/9/17 / CL7959 / SWF Consultants>.
- Proposed Drainage Plan <APR2017/ CL7959-101/Rev P2/ SWF Consultants>

The approved scheme shall be implemented in accordance with the approved details and timetable.

7. No development shall commence until full details of a scheme for a surface water sustainable drainage system to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement have been submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

8. 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.

9. No development shall take place until a written programme of archaeological building recording has been submitted and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved programme

10. No development shall commence until details of an appropriate management and maintenance plan, including arrangements to secure funding for the lifetime of the development through an appropriate legally binding agreement, for the surface water sustainable drainage system, comprising all

components of the surface water drainage system, have been submitted to the Local Planning Authority, in conjunction with the Lead Local Flood Authority.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved details.

11. NO DEVELOPMENT SHALL TAKE PLACE until arrangements for the storage and disposal of refuse, and vehicle access thereto, have been made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full before any of the apartments are occupied and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

12. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

13. No development shall take place until details of the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed prior to first occupation and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

101 **APP/17/00410: STORETON HALL FARM, LEVER CAUSEWAY, STORETON: REFURBISHMENT AND RE-USE OF STORETON HALL AND OTHER HISTORIC BUILDINGS, NEW-BUILD RESIDENTIAL DEVELOPMENT, THE RELOCATION OF THE EXISTING EQUESTRIAN BUSINESS, ASSOCIATED CAR PARKING, EXTERNAL WORKS AND LANDSCAPE WORKS.**

The Managing Director for Delivery submitted the above application for consideration.

Two Lead Petitioners addressed the Committee.

The Agent for the Applicant addressed the Committee.

Two Ward Councillors addressed the Committee.

On a motion for refusal moved by Councillor S Kelly and seconded by Councillor P Cleary it was:

Resolved - (13:0) That the application be refused on the following grounds:

The site lies within the green belt and the development proposed would be in conflict with UDP policy GBT1. The local planning authority does not consider that very special circumstances have been demonstrated in this case as required by UDP policy GB2 (draft core strategy Local Plan Policy CS3) to justify overriding green belt policy and the provisions of the National Planning Policy Framework section 9- Protecting the Green Belt.

102 **APP/17/01098: 3 SHEPHERD CLOSE, GREASBY, CH49 2RB: TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS (AMENDED).**

The Managing Director for Delivery submitted the above application for consideration.

A Ward Councillor addressed the Committee.

On a motion to move refusal by Councillor D Elderton and seconded by Councillor I Lewis it was:

Resolved – (11:2) That the application be refused on the following grounds:

The proposed two storey extension would result in an unneighbourly form of development in that it would lead to overbearing impact of the adjoining dwelling by reason of its size, height and siting which the Local Planning Authority considers would be detrimental to the amenities which occupiers of the adjoining dwelling could reasonably expect to enjoy. This is contrary to the principles set out in policy HS11 of the Wirral Unitary Development Plan.

103 **APP/17/01125: 11 LANG LANE, WEST KIRBY, CH48 5BW: DEMOLITION OF EXISTING SEMI-DETACHED PROPERTY AND DEVELOPMENT OF NINE APARTMENTS, INCLUDING LANDSCAPING OF SITE**

The Managing Director for Delivery submitted the above application for consideration.

A Ward Councillor addressed the Committee.

On a motion for refusal moved by Councillor D Elderton and seconded by Councillor I Lewis it was:

Resolved –(11:2) That the item be refused on the following grounds:

The proposed development would, by virtue of its size, scale and position, dominate the existing dwelling at 3 Birkett Road and will be detrimental to the character of the surrounding area, which is contrary to Policy HS4 of the Wirral Unitary Development Plan.

104 **APP/17/00179: OLD ANSELMIANS RUGBY CLUB, EASTHAM VILLAGE ROAD, EASTHAM, CH62 0BJ : MIXED DEVELOPMENT FOLLOWING THE DEMOLITION OF THE EXISTING PAVILION BUILDING INCLUDING THE CONSTRUCTION OF 21 HOUSES, THE ERECTION OF A SPORT PAVILION/COMMUNITY FACILITY, THE CONSTRUCTION OF A CAR/COACH PARK, THE REPOSITIONING OF**

FLOOD LIGHTS, THE LAYOUT OF NEW PITCHES AND THE ERECTION OF BALL CATCHMENT FENCING.

Resolved- That this application be deferred for a formal site visit.

105 **APP/17/00499: ST LUKES TENNIS CLUB, CHARLES ROAD, HOYLAK, CH47 2AB: PROPOSED RESIDENTIAL DEVELOPMENT OF 10 DWELLINGS**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor D Elderton and seconded by Councillor S Foulkes it was:

Resolved- (13:0) That the application be approved subject to a Section 106 Agreement.

106 **APP/17/01089: LAND AT NEW CHESTER ROAD, NEW CHESTER ROAD, BROMBOROUGH, CH62 4RE: THE ERECTION OF 86 DWELLINGS AND THE PROVISION OF LANDSCAPING; TOGETHER WITH OTHER ASSOCIATED WORKS**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor S Foulkes and seconded by Councillor D Realey it was:

Resolved- (13:0) - That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 24th November 2017 and listed as follows:

Site location plan	LP01
Planning Layout	PL01 Rev.B
Planning Layout (Colour)	PL01C Rev.B
Boundary Layout	BL01 Rev.B
Finished Floor Level Layout	FF01 Rev.B
Hard Surfacing Layout	HS01 Rev.B
Material Layout	ML01 Rev.B
Site Sections	SEC01 Rev.B
Street Scenes	SS01 Rev.B
Landscape Planting Plan	LDS357-03 Rev.B
Landscape Planting Plan	LDS357-04 Rev.B
Landscape Planting Spec	LDS357 Rev.B
Design & Access Statement (November 2017)	
Boundary details	

and the original drawings no 10642-004, received by the Local planning Authority on 21st August 2017

3. Prior to the commencement of development a survey of existing and proposed ground levels, sections across the site and details of the finished slab level for each property shall be submitted to and agreed in writing with the Local Planning Authority. The ground levels across the site and finished slab levels for each property shall be as per the approved plans.

4. No development shall take place until a full scheme of works and timetable for the construction of the new highway and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway, road safety audit and monitoring has been submitted to and agreed in writing with the Local Planning Authority. The approved works shall be completed in accordance with the Local Planning Authority written approval prior to occupation of the development.

5. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance or building work's to take place during the period 1st March to 31st August inclusive. If it is necessary to undertake works during the bird breeding season, then all buildings, trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present, if present, details of how they will be protected will be required.

6. In order to protect habitats of special local importance for nature conservation:

- 1) Construction work shall only take place between 8am and 6pm.
- 2) Any holes or trenches left open overnight must have a means of escape provided.
- 3) All construction materials, especially those containing lime, must be stored so that hedgehogs cannot access them.
- 4) Prior to the construction of garden fencing, details shall be submitted and approved in writing of the means of access provision for hedgehogs to move between gardens

7. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development shall be submitted to and approved in writing with the Local Planning Authority. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts which could include:

- A lighting scheme which enable bats continued use of retained commuting and foraging habitats. Lighting should be kept to a minimum and designed to avoid spill into foraging habitat particularly the Dibbinsdale brook buffer zone (section 7 of the survey report). It would be helpful for the applicant to refer to the document Bats and Lighting in the UK, Bats and the Built Environment Series, Bat Conservation Trust and Institute for Lighting Engineers; and
- A waste audit or similar mechanism for monitoring construction waste.

The CEMP should be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures. The approved plan shall be implemented in full.

8. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

9. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

11. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

12. Prior to the occupation of the dwellings hereby approved, the thermal glazing and mechanical ventilation outlined in the Noise Consultants Report (Wardel Armstrong August 2017) should be implemented in full and retained thereafter to ensure appropriate noise levels are achieved inside the living rooms and bedrooms.

13. Prior to first occupation of the dwellings hereby approved, the children's play area shall be completed in accordance with the details contained within drawing no LDS357-03B and retained as such thereafter.

14. The hard and soft landscaping scheme hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

15. If the approved sustainable drainage system is not adopted by a public body or statutory undertaker then, prior to the first occupation, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.
- A schedule for on-going inspections relating to performance and condition.
- Details for planned maintenance and a mechanism for remedial and urgent repair works.

16. The residential units hereby permitted shall be occupied in accordance with the supporting statement - scheme for the provision of Affordable Housing, unless otherwise agreed in writing by the Local Planning Authority.

107 **APP/17/01072: LAND NORTH OF TYRER STREET & RIBBLE STREET , BIRKENHEAD, CH41 8HY: VARIATION OF CONDITION 4 OF APP/16/01018 TO ERECT 51 HOUSES (AS AMENDED)**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor S Foulkes and seconded by Councillor D Realey it was:

Resolved- (13:0) - That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 26 July 2016, 10 October 2016 and 1st September 2017 and listed as follows: 2008/NW/RD/106, 2008/SD/110, 2008/NW/RD/113, 2008/NW/RD/116, 2008/NW/RD/117, 2008/NW/RD/118, 2014/832v2-PL02, 2014/851-PL03, 2014/1054v1-PL05, 2014/651-PL01, 2014/867-PL04, 5185.01, 01261/Topo, 14092-004 D, 14092-001 L, 5185.04, 5185.02 and 5185.06 A.

108 **APP/17/01186: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG: INSTALLATION OF FOUR NEW ACCESS DOORS**

Resolved- That this application be deferred for a formal site visit.

109 **APP/17/01264: 30 MARTIN CLOSE, IRBY, CH61 0HP: ERECTION OF A FIRST-FLOOR REAR EXTENSION**

The Managing Director for Delivery submitted the above application for consideration.

On a motion moved by Councillor D Elderton and seconded by Councillor E Boulton it was:

Resolved- (13:0) - That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 4th October 2017 and listed as follows: drawing numbers CH61.001 and CH61.002 (date Nov 2013).

3. The first-floor window facing 32 Martin Close shall not be glazed otherwise than with obscured glass and shall be non-opening unless the parts of the window can be opened are more than 1.7 metres above floor level of the room and thereafter be permanently retained as such.

110 **JUDICIAL REVIEW UPDATE**

A verbal update was given by The Assistant Director for Environmental Services.

The Assistant Director confirmed that Hillbark Hotel had been served an enforcement notice to take down and remove the marquee. Hillbark Hotel has till 1 February 2019 to comply with the enforcement notice served.

Member raised concerns about the length of time given to Hillbark Hotel to remove the marquee and what were the implications if they did not comply?

The Assistant Director explained to the Committee that due to the recent refusal of the latest planning application that there was no planning permission for the marquee already erected, the case was looked at in what was regarded as reasonable legal timescale in which to carry out the works to remove the marquee. The officers will be pressing them to start the removal as soon as possible. If Hillbark Hotel hasn't complied with the enforcement notice by 1 February 2019 further legal action is an option that could be taken.

The legal process has been started by the serving of the enforcement notice.

The Assistant Director noted the concerns raised by the Committee of the length of time given for compliance.

Legal advice was to be sought about the legality of revoking their licence to operate in the marquee and this advice would be brought back to a future Committee meeting.

111 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 07/11/2017 AND 04/12/2017**

The Managing Director for Delivery submitted a report detailing planning applications decided under delegated powers between 07/11/2017 and 04/12/2017.

Resolved- That the report be noted.

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Planning Committee

18 January 2018

Reference:
APP/17/00179

Area Team:
South Team

Case Officer:

Ward:
Eastham

Location: Old Anselmians Rugby Club, EASTHAM VILLAGE ROAD, EASTHAM, CH62 0BJ

Proposal: Mixed development following the demolition of the existing pavilion building including the construction of 21 houses, the erection of a sport pavilion/community facility, the construction of a car/coach park, the repositioning of flood lights, the layout of new pitches and the erection of ball catchment fencing.

Applicant: Anselmians Rugby Club

Agent : Cass Associates

Site Plan:



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Development Plan Designation.

Road Corridor subject to Environmental Improvement
Primarily Residential Area
Green Belt
Conservation Area (for illustrative purposes)

Planning History:

Location: Old Anselmians Rugby Club, EASTHAM VILLAGE ROAD, EASTHAM
Application Type: Full Planning Permission
Proposal: The demolition of the existing single storey changing rooms and the erection of a new 2 storey clubhouse.

Application No: APP/11/00127
Decision Date: 07/09/2011
Decision Type: Approve

Location: Old Anselmians R.U.F.C., Eastham Village Road, Eastham. L62 0BJ
Application Type: Full Planning Permission
Proposal: Extension to form referees changing room.
Application No: APP/85/07065
Decision Date: 20/02/1986
Decision Type: Approve

Location: Old Anselmians Rugby Club, Eastham Village Road, Eastham, Wirral, CH62 0BJ
Application Type: Full Planning Permission
Proposal: Ground floor alterations to existing clubhouse and first floor extension.
Application No: APP/08/05095
Decision Date: 07/03/2008
Decision Type: Approve

Location: Malone Field ,Eastham Village Rd ,Eastham ,L62 0BJ
Application Type: Full Planning Permission
Proposal: Residential development
Application No: APP/80/16701
Decision Date: 20/01/1981
Decision Type: Refuse

Location: Old Anselmians Rugby Ground, Eastham Village Road, Eastham, Wirral, CH62 0BJ
Application Type: Full Planning Permission
Proposal: Retention of gate across entrance to replace wooden fence and hedge
Application No: APP/07/05160
Decision Date: 28/03/2007
Decision Type: Refuse

Location: Malone Field, Old Anselmians Rugby Ground, Eastham Village Road, Eastham, Wirral, CH62 0BJ,
Application Type: Full Planning Permission
Proposal: Erection of a 20 metre timber telecommunications monopole accommodating 3 no. antennae (1.7m), 1 no. 300mm microwave dish, and equipment compound.
Application No: APP/02/07163
Decision Date: 24/01/2003
Decision Type: Refuse

Location: Old Anselmians Rugby Club, Eastham Village Road, Eastham, Wirral,

CH62 0BJ
Application Type: Full Planning Permission
Proposal: Ground floor alterations to existing club house and erection of a first floor extension
Application No: APP/06/06739
Decision Date: 05/01/2007
Decision Type: Refuse

Location: S Carlett Pfs ,New Chester Road ,Eastham , L62 0BZ
Application Type: Full Planning Permission
Proposal: Erection of private school at land south west of Malone Fields and between Carlett Service station and Church of England primary school fields
Application No: APP/81/17427
Decision Date: 14/05/1981
Decision Type: Refuse

Location: Malone Field, Eastham Village, Eastham
Application Type: Full Planning Permission
Proposal: Proposed clubhouse and changing rooms.
Application No: APP/74/00251
Decision Date: 11/10/1974
Decision Type: Withdrawn

Location: Old Anselmians R.U.F.C.,Eastham Village Rd ,Eastham L62 0AN
Application Type: Full Planning Permission
Proposal: Extension to Club lounge to form kitchen and dining facilities
Application No: APP/80/14934
Decision Date: 02/06/1980
Decision Type: Conditional Approval

Location: Malone Field,Eastham Village,Eastham
Application Type: Full Planning Permission
Proposal: Extensions to changing rooms at clubhouse
Application No: APP/74/01741
Decision Date: 25/03/1975
Decision Type: Conditional Approval

Location: Land bordered by,New Chester Road and,Eastham Village Road,Eastham,CH62 0BJ
Application Type: Full Planning Permission
Proposal: Erection of groundsman's store.
Application No: APP/78/11047
Decision Date: 11/12/1978
Decision Type: Conditional Approval

Summary Of Representations and Consultations Received: Consultations

Traffic Management - There are no highway objections to the proposals subject to conditions relating to reinstatement of obsolete crossings and the applicants entering into a section 106 agreement to provide a speed limit reduction through Eastham Village.

HSE - Do not advise against development

Historic England- Do not wish to make comment.

LLFA - Initial objection, withdrawn following the submission of additional information. No objection

subject to conditions.

Environmental Protection -No objection subject to conditions relating to contamination and noise surveys.

Housing and investment - Proposal triggers the requirement for affordable housing.

Sport England -No objection subject to conditions .

Wirral Green Belt Council- Objection

Eastham Village Preservation Society - Object on the following grounds:-

- Concern over Councils impartiality given links with the application.
- Both the Council and the Rugby Club stand to make significant financial gain from the proposals.
- The proposal will result in a significant increase in traffic in Eastham Village.
- The club will have no real gain in pitches despite stating a previous need for more.
- The test of Very Special Circumstances has not been met.
- The development will result in harm to the Conservation area .

Neighbours

In line with the Councils policy for publicity of planning applications, letters were sent to 195 neighbouring properties and a notice posted on site. The application has attracted both opposition and support in the form of individual letters and petitions.

Objection

2 petitions of objection have been received and 105 individual letters. The reasons for objection relate to the following matters:-

- Proposed relocation of floodlights will result in light pollution
 - Existing traffic and noise problems will worsen.
 - Existing footpath should be improved.
 - Traffic situation is dangerous now and results in congestion on match days.
 - Wrong to build houses on a playing field in a Conservation Area.
 - Development will destroy the character of the Village.
 - Building works will result in disruption to neighbours.
 - The club house will increase the potential for anti-social activity.
 - Most of the support comments are not from people who live in the village.
 - Club house and houses are not in keeping with their historic setting.
 - will set a precedent for further development in the Green Belt.
 - If really a local community facility, such a large car park would not be needed.
 - Its a bad idea to relocate the youth club across one of the busiest roads in the Borough.
 - Youth club and Licensed bar should not be in the same building.
- Public footpath runs through training pitch limiting its accessibility.

Support

5 petitions and 286 individual letters were received in relation to the proposals. In addition Councillor Phil Gilchrist confirmed his support of the proposals.

The reasons for support concern:-

- Provision of a much needed facility.
- Improved parking .
- Better use of land, green belt is outdated.
- Will support the future of rugby for all.
- Increase in much needed housing stock.

DIRECTORS COMMENTS:

The application was deferred from Planning committee on 14th November 2017 to allow a members site visit.

REASON FOR REFERRAL

The application is a departure to the adopted Unitary Development Plan and has received several qualifying petitions.

INTRODUCTION

Mixed development following the demolition of the existing pavilion building including the construction of 21 houses, the erection of a sport pavilion/community facility, the construction of a car/coach park, the repositioning of flood lights, the layout of new pitches and the erection of ball catchment fencing.

PRINCIPLE OF DEVELOPMENT

The application is a departure from the Wirral Unitary Development Plan. The development constitutes inappropriate development which is in conflict with Green Belt Policy and should not be approved unless supported by very special circumstances that clearly outweigh the harm.

In addition, the site is located within the Eastham Village Conservation Area where new development must preserve and enhance the conservation area.

The site is also located within a Health and Safety Executive hazard notification zone where development could only be permitted if the Local Planning Authority is satisfied that the level of risk is acceptable following assessment under the criteria in UDP Policy PO9.

Proposals for development that would have a significant impact on the openness of the Green Belt must also be referred to the Secretary of State before permission can be granted as required by the Town & Country Planning (Consultation) (England) Direction 2009.

SITE AND SURROUNDINGS

The site consists of the existing rugby club, pitches and car park. The site is bounded on two sides by the A41 and Eastham Village Road. The site is largely open with sports pitches forming the bulk of the site. The existing club house is a single storey structure which is located to the northern end of the site. The access to the small car park adjacent to the club house is from Eastham Village Road. The site boundary to Eastham Village Road is an established hedge with mature trees sited behind it on the site. The boundary to the A41 is also hedging and mature trees.

POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. Special regard must be given to the desirability preserving or enhancing the character or appearance of the conservation area as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The statutory Development Plan for Wirral consists of the Unitary Development Plan (UDP) saved by a Direction of the Secretary of State issued on 18th September 2007 and the Joint Waste Local Plan for Merseyside adopted on 18th July 2013.

The following policies are considered relevant:

Wirral Unitary Development Plan

Policy URN1 makes it clear the Local Planning Authority will be concerned to ensure that full and effective use is made of land within the urban areas and that various types of land including sites within the Green Belt will be protected from inappropriate development.

Policy GB2 establishes a general presumption against inappropriate development in the Green Belt and makes it clear that such development will not be approved except in very special circumstances.

Policy HS4 whilst only applicable in Primarily Residential Areas contains criteria for new housing development that would be relevant subject to addressing Green Belt policies.

Policy HS6 sets out the principles of affordable housing.

Policies GR5 and GR7 set out the requirements for landscaping and the protection of trees. New development should retain existing features as far as possible and supplement existing landscaping with new proposals.

Policy RE13 specifically concerns the criteria which must be applied for sports facilities in the Green Belt. New development must be accompanied by sufficient parking to meet the likely traffic needs without major road alterations must not disturb neighbours or wildlife and most significantly should not be intrusive and preserve openness.

Policies WAT2, WA2, WA3, WA4, and WA5 only permit development that would not increase the risk of flooding, where drainage and surface water runoff can be controlled with regard to the need for the protection of water resources including groundwater.

Policies TRT3, TR11 and TR13 make it clear that regard will be given to minimising vehicular and pedestrian conflict, securing access for disabled people, minimising the need to travel, parking and servicing arrangements and ensuring there is no negative impact on routes used by cyclists when assessing the impacts of the proposed development

Policies CHO1, CH2 and CH10 only permit development affecting the setting of the Eastham Village Conservation Area where the visual and operational impact of the proposal can be demonstrated to preserve or enhance distinctive characteristics including important views. Principle objectives under Policy CH10 are to (i) maintain a sense of separation from the built up area through the retention of open spaces around the village core; (ii) preserve the setting and sense of enclosure afforded by boundary walls, hedges and mature landscaping.

Policy PO9 only be permits where the Local Planning Authority is satisfied following consultation with the Health & Safety Executive that the level of risk from the hazardous substances installation at KANEB Terminals would acceptable having regard to the size and nature of the development, the number and vulnerability people and the nature of the hazard.

Joint Waste Local Plan

Waste Local Plan Policies WM8 and WM9 set out the requirements for waste management, recycling and efficient use of resources.

Emerging Core Strategy

Policy CS3 in the Core Strategy Local Plan Proposed Submission Draft (December 2012) would continue to reflect the national requirement for the Green Belt. The protection of high quality open space and playing fields while addressing need for additional facilities for young people, and the preservation and enhancement of Eastham Conservation Area are also identified as priorities for the settlement area in Policy CS7.

National Policy Considerations

The National Planning Policy Framework (NPPF), at Paragraph 79, attaches great importance to the Green Belt. The fundamental aim is to prevent urban sprawl by keeping land permanently open. The five stated purposes of the Green Belt are to:

- prevent unrestricted sprawl;
- prevent the merging of neighbouring towns;
- assist in safeguarding the countryside from encroachment;
- preserve the setting and special character of historic towns; and
- assist in urban regeneration.

Once defined, local planning authorities are expected to plan positively to enhance the beneficial use of the Green Belt such as providing opportunities for access, sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity (NPPF paragraph 81 refers).

NPPF paragraph 87 indicates that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that Local Planning Authorities 'should ensure substantial weight is given to any harm to the Green

Belt and states that 'very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'. The NPPF paragraph 89 makes it clear that the construction of new buildings in the Green Belt should be regarded as inappropriate development, besides limited exceptions, including appropriate facilities for outdoor sport and development on brownfield land that preserves and has no greater impact the openness and purpose of the Green Belt.

NPPF, paragraph 74 also indicates that existing open space, sports and recreational buildings and land, including playing fields should not be built on unless: an assessment clearly shows the land to be surplus to requirements; or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The Playing Pitch Strategy & Action Plan, approved by the Cabinet Member for the Housing & Community Safety and Deputy Leader of the Council on 23 October 2017, recommends improvements to maintenance on all pitches, alongside the investigation on the feasibility for additional floodlighting improvements to the quality of the clubhouse and the potential for a 3G pitch at Anselmians RUFC. It also note that as the site is in the Green Belt and Conservation Area associated planning constraints apply.

APPEARANCE AND AMENITY ISSUES

The proposed development which is the subject of this application consists of two main elements. The first relates to the erection of 21 houses on land currently occupied by the club house, car park and part of the pitches. The second is the provision of a new club house and community hub, coach and car park, floodlights and new pitches.

Residential Scheme

The proposed housing consists of 21 detached houses in the form of a cul- de- sac with access from Eastham Village Road. The houses are two storey of a traditional design with a variation in the house types to create a varied street scene. The materials are mainly brick and tile .Most of the houses have detached or integral garages and all have off street parking .The vehicular and pedestrian access to the housing development uses the existing access point for the Rugby Club but it is widened to 5.5m to allow satisfactory access. The existing site boundary to Eastham Village Road consists of a dense hedge with a number of mature trees within the site behind the hedge. The proposed development retains this hedge and trees and will include additional planting where parts of the hedge are sparse. Within the site, a landscaped buffer is proposed around the housing development which will consist of a raised bund with landscaping in the form of trees on top.

Rugby Club

There are a number of elements to the development proposed as part of the Rugby Club. The residential development will displace the existing club house, car parking and pitches. The proposed clubhouse would be located centrally to the site and to the rear of the existing petrol filling station on New Chester Road. The three pitches will be laid out around the club house. The proposed clubhouse is a modern two storey building similar to the design approach approved through APP/11/00127. The ground floor comprises changing facilities, toilets and storage for the club which includes segregated and separately accessed areas for juniors. The upper floor provides the lounge, bar and kitchen for the club. The new building also houses on both the ground and first floor, two activity rooms for the community hub.

A new larger car park is proposed which would be alongside the Eastham Village Road Boundary in between the proposed housing development and the existing houses to the south of the site. The surface of the car park is to be a form of grasscrete to try and minimise the visual intrusion that would occur with a hard surfaced area. The initial proposals for a 150 space car park with coach parking has been reduced to 142 so that less of the Eastham Village Road frontage is taken up by car parking and views into the site are softened by additional landscaping. The existing boundary treatment to Eastham Village Road is to remain.

The proposal includes three pitches comprising a main pitch, a second pitch and a training pitch. The position of the pitches is largely dictated by the position of the club house and the Rugby Football Union Guidelines. The reorientation of the pitches necessitates the repositioning of floodlights from the south of the site to the new training pitch to the north west of the site adjacent to New Chester Road and the erection of 6m high containment netting within the site.

A new vehicular access is proposed to serve the car and coach park from Eastham Village Road which would require an opening in the existing boundary of 9m. This access runs between the pitches to the club house.

Impact on the Conservation area

Eastham Village Conservation Area is made up of a dense historic core with routes into and out of the Conservation Area radiating out from the centre. The periphery of the Conservation Area is mainly characterised by open spaces. Land to the north and west of the Conservation Area tends to be residential with the commercial parts of the New Chester Road to the west. The land to the south and east is a combination of open land and industrial land. The existing Rugby club is situated in one such open space to the north western boundary of the Conservation Area.

Eastham Village Road is one of the main routes into the Conservation area and includes the eastern boundary of the application site

Policy

New development within conservation areas must be considered against relevant local and national policies.

Policy CH2 of the Wirral Unitary Development Plan (UDP) requires new development in conservation areas to preserve or enhance the distinctive characteristics of the area, the general design and layout of the area and the character and setting of any period buildings or important elements in the Conservation area. UDP Policy CH10 makes it clear that the objective is not only to retain the distinctive character of the settlement but also to maintain the open or woodland setting of the village and a sense of separation from the surrounding urban area.

The NPPF recognises the importance of sustaining and enhancing heritage assets whilst ensuring that any new development makes a positive contribution to local character and distinctiveness. As the site shares a boundary with one of the main roads through the Conservation Area, the visual impact of any development on this route must make a positive contribution to the character of the area. The existing Rugby Club building is a single storey structure which is not of any architectural interest. The Conservation area appraisal identifies this building as one which has a negative impact on the conservation area. A more contemporary two storey building was approved in the same location as a replacement in 2011 and was considered to make a positive contribution to the area. The elements of the proposed development which will have the most impact on the character of the area are the visual impact of new buildings and the car parking area, the opening of the site boundary to provide access, the containment fencing and the traffic generation.

The houses are positioned to the northern part of the site so that they form an extension to the existing built development across the open pitch area, carpark and existing clubhouse around the north western boundary of the Conservation Area. Whilst a layout which turns its back with private gardens adjacent to the main road frontage would not normally be the preferred design solution, in this instance it would enable the existing soft boundary treatment to remain intact with supplementary planting to help retain a feature which forms part of the character in this part of the area. The existing trees and shrubs which form the boundary with Eastham Village Road will soften the impact of the development which will afford glimpses of the new houses which will be set back from the road. The houses are traditionally designed and have sufficient variety in appearance to fit in with the scale of development in the Conservation Area.

The proposed position of the club house is towards the western boundary of the site to the rear of the existing service station on New Chester Road. The design approach is similar to the 2011 approval for a club house and the building will be viewed against the backdrop of the service station and its landscaping. In terms of the impact on the conservation area, the new club house will provide a focal point which will make a positive contribution to the conservation area.

The proposed development includes a large car and coach car park which will take its access from Eastham Village Road. The car park is located near to the boundary with the road and due to the larger access will be a visible feature. In order to minimise the visual impact, the car park will have been moved so that there is more space between the edge of the car park and the site boundary, which retains the existing landscaping. The coach parking within the site is partially offset by a landscaped buffer which will soften the visual impact. In addition the surface of the car park is to be

formed from a material which allows grass to grow through thus minimising the harshness of the hard-surfaced area. Notwithstanding this, it is likely that the parking area will be a visually intrusive feature which has a negative impact on the conservation area. This however can be balanced with any benefit of removing much of the on street parking generated by the Rugby Club at match times which is also harmful to the character of the area. The existing club car park is relatively small and cannot accommodate the volume of traffic which is generated by the club including coach parking. The proposed development could help remove this congestion with a car park which has been designed to minimise its visual impact. Whilst making the club more accessible to more people and clubs is likely to increase use of the club and car park, the proposals could nonetheless address an existing problem which could be of benefit to the character of the Conservation Area .

Other aspects of the development include repositioning of the pitches and floodlights and a 6m containment fence. The pitches and floodlights already exist on site and their alteration will not have a greater impact on the conservation area. The 6m fence is a substantial height but by its nature is an open lightweight structure . The fence will be positioned around the pitches within the site and is likely to have a neutral impact on the conservation area.

Alteration to pitches

The proposed development results in the loss of some playing field land which is contrary to local and national planning policy and therefore must be assessed under Sport England's exception policy, E4. This determines whether the loss of playing field can be considered acceptable if it is to be replaced by playing field of an equivalent or greater quantity or quality in an appropriate location. Following consultation, Sport England advised that the provision of a new club house and improved pitches does broadly meet the planning policy exceptions, however concern is raised about the proposed pitch specification. The details of the pitch specification can be secured through conditions suggested by Sport England.

Affordable Housing

The development of 21 houses is of a scale which would normally require the inclusion of an element of affordable housing. The applicant has submitted a viability assessment which concludes that in this instance, the provision of affordable housing would not be financially viable. This report has been scrutinised by an independent expert who advises that the conclusions are correct. As such no affordable housing is proposed as part of the development.

Green Belt

Within the adopted Green Belt. Within the Green Belt, new development must be regarded as inappropriate unless it falls within the categories of appropriate development listed in NPPF paragraph 89. Where development is classed as inappropriate, it can only be considered acceptable if it is justified by very special circumstances and these very special circumstances are considered to clearly outweigh the harm caused by inappropriateness and any other harm.

The list of appropriate development includes:-

- buildings for agriculture and forestry
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development

Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction

- engineering operations
- local transport infrastructure which can demonstrate a requirement for a Green Belt location
- the re-use of buildings provided that the buildings are of permanent and substantial construction
- development brought forward under a Community Right to Build Order

The proposed housing which forms part of this application must therefore be considered as inappropriate development as are the proposed club house, floodlighting and car park as they do not fulfil the criteria for appropriate development listed above. The provision of the outdoor pitches is considered to be appropriate development.

The case submitted by the applicant for very special circumstances includes a number of factors but fundamentally revolves around the desire to retain the existing rugby club at its existing site whilst providing better facilities for both the club and the wider community.

The club has existed on this site before both the designation of the conservation area and the green belt and the recreational use of the land accords with both designations. The club house has evolved as a piecemeal building and is now in need of modernisation and improvement. The club contends that it is struggling financially which it attributes to the decline in membership and the difficulty in recruiting and retaining new members. The club facilities are outdated and restrict the clubs ability to promote and facilitate wider community use through the encouragement of youth teams, female players and people who require a more accessible facility. The club has also submitted financial evidence which indicates the difficulty of funding the proposed improvements without an additional form of revenue due to the high level of debt which would be required to finance the alterations. Members should be aware that this not uncommon for other sports club in similar circumstances.

The revenue from the sale of part of the clubs land to provide 21 houses would assist with funding and help secure the future of the club and ongoing maintenance costs. The residential development would be located to the north west of the site. In terms of impact on the Green Belt, it could be contended that the concept is the least obtrusive as it appears as a continuation of the existing buildings to the north of the site. Whilst, visually, the new housing will be relatively well screened, the new residential development would still result in a significant loss of openness which can only be supported if the harm is outweighed by the enablement of the Rugby Club's continued use of the remainder of the site.

The provision of appropriate facilities for outdoor sport can be considered as appropriate development if it preserves the openness of the Green Belt. The new club house, provides improved facilities which will enable a much wider use of the building and site for sporting use. This improvement is acknowledged by Sport England whilst suggesting some minor changes to the internal layout of the changing rooms and showers. The new club house is however, significantly larger than the existing club and will be located on a previously open part of the site. In addition, the new building includes a new community hub facility which necessitates a larger building than a size that would simply be required for just the club. As such, the proposed development will result in a loss of openness to the Green Belt and is considered inappropriate.

The proposed location of the new club house has been determined by the location of the proposed residential development. Whilst the new building will have a greater impact on the openness of the Green Belt, its position near the western side of the site with existing trees and a filling station as a backdrop, would help to limit the visual impact of the building and would enable the pitches to be positioned around the clubhouse. In this location, the visual harm to the green belt can be considered to be limited. The new two storey club house will provide six modern standard changing rooms on the ground floor along with ancillary facilities. There will be specific provision for disabled participants in sport. The first floor would accommodate the main lounge. In addition to the Rugby Club facilities, linked to the club house will be a two storey element for a community centre and cafe. This is to be operated by the Council as a community resource to replace the youth club facility nearby at Lyndale Avenue. It could provide a community facility which is fit for purpose and could be promoted as a community benefits which also contributes to the case for very special circumstances.

The closure of the facilities at Lyndale Avenue has led to the need for an alternative community facility. The current site at the Rugby Club was chosen after a review of other available assets within a 1 mile radius of Eastham Youth Club. The properties considered and the conclusions are detailed

below

COUNCIL OWNED ASSETS

1	Eastham Branch Library and One Stop Shop	Mill Park Drive, Eastham CH62 9GB	Part of LLSC review, future use and ownership to be decided. Limited available space and unsuitable for youth service activities
2	Eastham Youth and Community Centre	Lyndale Avenue, Eastham CH62 8DE	Current location of Youth Club Backlog maintenance £360k+ significant h&s issues.
3	Plymyard Lodge	New Chester Road, Eastham CH62 8AB	Tenanted dwelling within cemetery.
4	Plymyard Sports Pavilion	Bridle Road, Eastham CH62 8AU	Predominantly changing rooms with 1 room used by pre-school on daily basis
5	Warren Farm Depot	Green Lane, Eastham	Operational depot Not suitable to youth activities

COUNCIL OWNED ASSETS – LEASED

1	Air Training Corps	Eastham Rake, Eastham	Lease - fully committed timetable
2	Delamere Community Centre	Delamere Avenue, Eastham	Community Asset Transfer Activities throughout the week, the centre could offer some availability. Multi-use centre by community and support groups, setting up for youth club activities could be an issue. Hire charges apply.
3	Eastham Adult Centre, Training Centre	3 Eastham Rake	Lease – conflict of activities envisaged
4	Leverhulme Sports Field	Warren Lane, Bromborough	N/A
5	Scout Hut, 6 th Bebington Sea Scouts	Eastham Rake, Eastham	Lease – fully committed timetable
6	Torr Hall	Eastham Village Road, Eastham	Small facility; 10 year lease in place
7	Torr Park, Cricket Pavilion	Eastham Village Road, Eastham	This is a container on the sports field; not suitable for youth activities

SCHOOLS

1	Primary Schools: Brookhurst, Christ the King RC, Heygarth, Mendell, Millfields, Raeburn, Lyndale (closed)	Primary schools would not be suitable for the age ranges of the young people attending youth clubs. All schools in this area are at capacity, no available/dedicated space available.
2	Secondary Schools: South Wirral High	This is a PFI school, some letting undertaken but on adhoc basis and would not be allowed on permanent basis unless deed of variations completed (costly). Unlikely that young people would attend in school setting. Increased insurance due to higher risk of building damage

	(Inc PFI costs).
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NOT COUNCIL OWNED

1	Bromborough Methodist Church	Allport Lane, Bromborough	Churches often have their own youth activities linked to the parish. Limited external space for sports activities. Unlikely to accommodate 4 nights per week use for youth club activities.
2	Carlett Evangelical Church	Carlett Boulevard, Eastham	
3	Chapel of the Holy Spirit	Eastham Rake, Eastham	
4	St Mary's Church Hall & Scout Group	Ferry Road, Eastham	
5	Old Anselmians Rugby Club	Eastham Village Road, Eastham	Hold 99 year lease for adjacent land incl community use.
6	Octel Sports and Social Club	Bridle Road, Bromborough	Now a bar and restaurant; unsuitable for youth activities

The land on the southern part of the application site is already included in a lease between the Council and the Anselmians Rugby Club which requires that it is made available at certain times for community use. The siting of the new community hub adjacent to this land reinforces and makes use of this unique connection.

Objections/support

The application was submitted following a public meeting of local residents and has attracted a large volume of letters both in support and in opposition to the proposals. Objectors have expressed concern over the precedent set by the incursion into the Green Belt, the harm to the Conservation Area and the additional traffic that could be generated by the scheme if approved. Supporters have taken the view that the improvement of facilities will safeguard the clubs position in the community and provide better facilities for the wider community. The arguments put forward indicate that the final assessment of this proposal is finely balanced and depends on the acceptance of the case for very special circumstances.

The Eastham Village Preservation Society have opposed the proposals because of the impact and precedent on both the Green Belt and the Conservation Area. Furthermore they have expressed concern that the Council's financial links with the development means that it is too close to assess the proposals objectively.

The proposal has been assessed against the relevant policies which requires the consideration of very special circumstances. This test is one which will by definition require a set of circumstances which are unique to a particular site and cannot easily be replicated elsewhere. In this instance the factors put forward in support of the scheme for the reasons set out previously in the report, are considered on balance, to support the proposed development.

Referral

Under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, local planning authorities must notify the Secretary of State if they intend to approve a planning application for the following types of development within the Green Belt:

(a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

The proposed development by virtue of the total floor area created and the extent of its incursion into the Green Belt falls into both of the above criteria and as such must be referred to the Secretary of State if the recommendation for approval is confirmed by the Planning Committee.

SEPARATION DISTANCES

The proposed residential element of the scheme meets the Councils required interface distances between both the new houses and existing properties and also within the proposed development. The proposed club house is to be located away from existing properties and will not impact on the privacy of neighbouring properties.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposals involve the creation of a new access from Eastham Village Road to serve the 142 space car and coach park and the widening of the existing vehicular access to serve the proposed housing. There are no highway objections to the proposals subject to conditions relating to reinstatement of obsolete crossings and the applicants entering into a section 106 agreement to provide a speed limit reduction through Eastham Village.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Green Belt controls form part of the Government's approach to achieving sustainable development through the planning system. The proposal if approved could support the retention of a sports facility.

HEALTH ISSUES

Increased participation in sport could have positive health implications.

CONCLUSION

The proposed development is intended to secure a new rugby club building with improved changing facilities, an upper floor lounge/bar, carpark, reconfigured pitches, 6 metre high containment fencing and new floodlighting; enabled by building 21 houses in the Green Belt and the Eastham Village Conservation Area; and a Council funded and operated youth hub to replace existing facilities in Lyndale Avenue.

The site is located within the Green Belt and therefore the proposal constitutes inappropriate development, as set out in both local and national planning policy. Inappropriate development is, by definition, harmful to the Green Belt and should only be approved in very special circumstances.

The applicant's case for very special circumstances includes several factors. It can be accepted that the current facilities at the Rugby Club are outdated and could act to inhibit further progression of the club. The applicant contends that without new membership and uses the club will have a finite lifetime and will not be able to make any improvements which could promote sport and wellbeing and be of benefit to the wider community. However, this is an argument which could be replicated with other sports club elsewhere in the urban area or Green Belt.

In addition to this, the Council is seeking a suitable location to provide a replacement community facility for the youth facilities at Lyndale Avenue. The provision of a replacement youth centre and a community hub fit with the aspirations and facilities of the Rugby Club and would provide funding to assist the construction of the club. Thus, whilst the club itself will benefit from remaining at its existing location within the community the expansion of facilities will bring wider sporting, health and lifestyle opportunities. Whilst, the proposed development presents an opportunity for improved outdoor sports and recreational facilities, substantial weight must be given to any harm to the Green Belt that would arise from the proposed development. The harm to the Green Belt through loss of openness is acknowledged, however on balance, it is considered that this is outweighed by the wider community benefits of the whole development.

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 site is located within the Green Belt and therefore the proposal constitutes inappropriate

development, as set out in both local and national planning policy. Inappropriate development is, by definition, harmful to the Green Belt and should only be approved in very special circumstances. The case for very special circumstances includes several factors including retention of an existing sporting facility and wider community benefit through an enabling development. Whilst the harm to the Green Belt through loss of openness is acknowledged, this is outweighed by the wider community benefits of the whole development.

Recommended Decision: **Approve : Subject to a section 106 agreement and referral to the Secretary of State**

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 (insert date) and listed as follows: (insert plan/drawing numbers & date)

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

3. Before any approved phase of the construction commences, samples of the facing, roofing and window materials to be used in the external construction of this phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CH2 of the Wirral Unitary Development Plan.

4. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent developments.

5. The hard and soft landscaping scheme hereby approved for each approved phase of the development shall be carried out prior to the occupation of any part of the corresponding phase development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to comply with Policy GR5 of the Wirral Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy GB2 of the Wirral Unitary Development Plan.

7. Before any approved phase of development commences, a Site Waste Management Plan, confirming how demolition and construction waste will be recovered in relation to this phase and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policy WM8 of the Waste Local Plan.

8. Before any equipment, machinery or materials are brought onto site for each approved phase, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the relevant phase of the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GR7 of the Wirral Unitary Development Plan.

9. Prior to the commencement of development in relation to the club house, details of secure covered cycle parking and/or storage facilities shall be 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.

10. The floodlights hereby approved shall be turned off between the hours of 2100 hours and 0900 hours Monday to Friday, between 1800 hours and 0900 hours on Saturday and between 1700 hours and 0900 hours on Sundays and Bank Holidays.

Reason: In the interest of residential amenity having regards to policy HS15 of the Wirral Unitary Development Plan.

11. The playing pitches and areas for junior rugby hereby permitted shall not be constructed other than substantially in accordance with the Rugby Football Union's Notes Guidance note 2 'Grass Pitches for Rugby' and are passed by a recognised pitch specialist (agronomist).

Reason: To ensure the development is fit for purpose and sustainable and to accord with Wirral Unitary Development Plan Policy RE13

12. Surface water sustainable drainage works, comprising all components of the surface water drainage system for each approved phase of the development, shall be carried out in accordance with the details contained within the submitted Flood Risk Assessment & Drainage Management Strategy (Betts Hydro Consulting Engineers Reference HYD102 Revision 2.2 6th February 2017) read in conjunction with Preliminary Drawing : Preliminary

Drainage Layout (Residential)(Betts Associates HYD102/100 REV A) approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority. The surface water sustainable drainage scheme shall be fully constructed prior to occupation of the relevant phase of the development and subsequently in accordance with any period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason:To ensure satisfactory drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

13. No development shall commence until full details of a scheme for a surface water sustainable drainage system to serve each approved phase of the development the site, and method of implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason :To ensure satisfactory drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

14. No development on each approved phase of the development shall take place until a full scheme of works and timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this element of the development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, TRO's, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway, road safety audit and monitoring has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the relevant phase of the development.

Reason: In the interest of highway safety and to comply with UDP Policy HS4 of the Wirral Unitary Development Plan.

15. No development shall take place until an assessment is carried out in accordance with authoritative technical guidance (CLR11), has been submitted to and approved in writing by the Local Planning Authority.
If any contamination posing unacceptable risks is then found, a report specifying the measures to be taken to remediate the site to render it suitable for the approved use shall be submitted to and approved in writing by the Local Planning Authority.
The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority.
If, during the course of development, any contamination posing unacceptable risks is found, which has not been previously identified, additional measures for the remediation of the land shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure a safe form of development, which poses no unacceptable risk of pollution.

16. NO DEVELOPMENT SHALL TAKE PLACE until arrangements for the storage, recycling and disposal of refuse, and vehicle access thereto, have been made within the curtilage of the buildings, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full before any of the buildings are occupied or brought into and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Merseyside and Halton Joint Waste Local Plan.

17. Prior to the commencement of development on the site, a scheme for the phasing of both the residential and sports/community elements of the development hereby approved, shall be submitted to and agreed in writing with the Local Planning Authority. The scheme of phasing shall include a timetable of works and a plan of the phases of work. The development shall be carried out in accordance with the approved scheme of phasing.

Reason : To ensure that the enabling residential development does not take place without provision of the approved sporting and community facilities.

Further Notes for Committee:

Last Comments By: 12/04/2017 09:20:34

Expiry Date: 01/06/2017

Agenda Item 5

Planning Committee

18 January 2018

Reference:

APP/17/00743

Area Team:

North Team

Case Officer:

Mr K Spilsbury

Ward:

Seacombe

Location:

Elmees Discount, 186 BOROUGH ROAD, SEACOMBE, CH44 6NJ

Proposal:

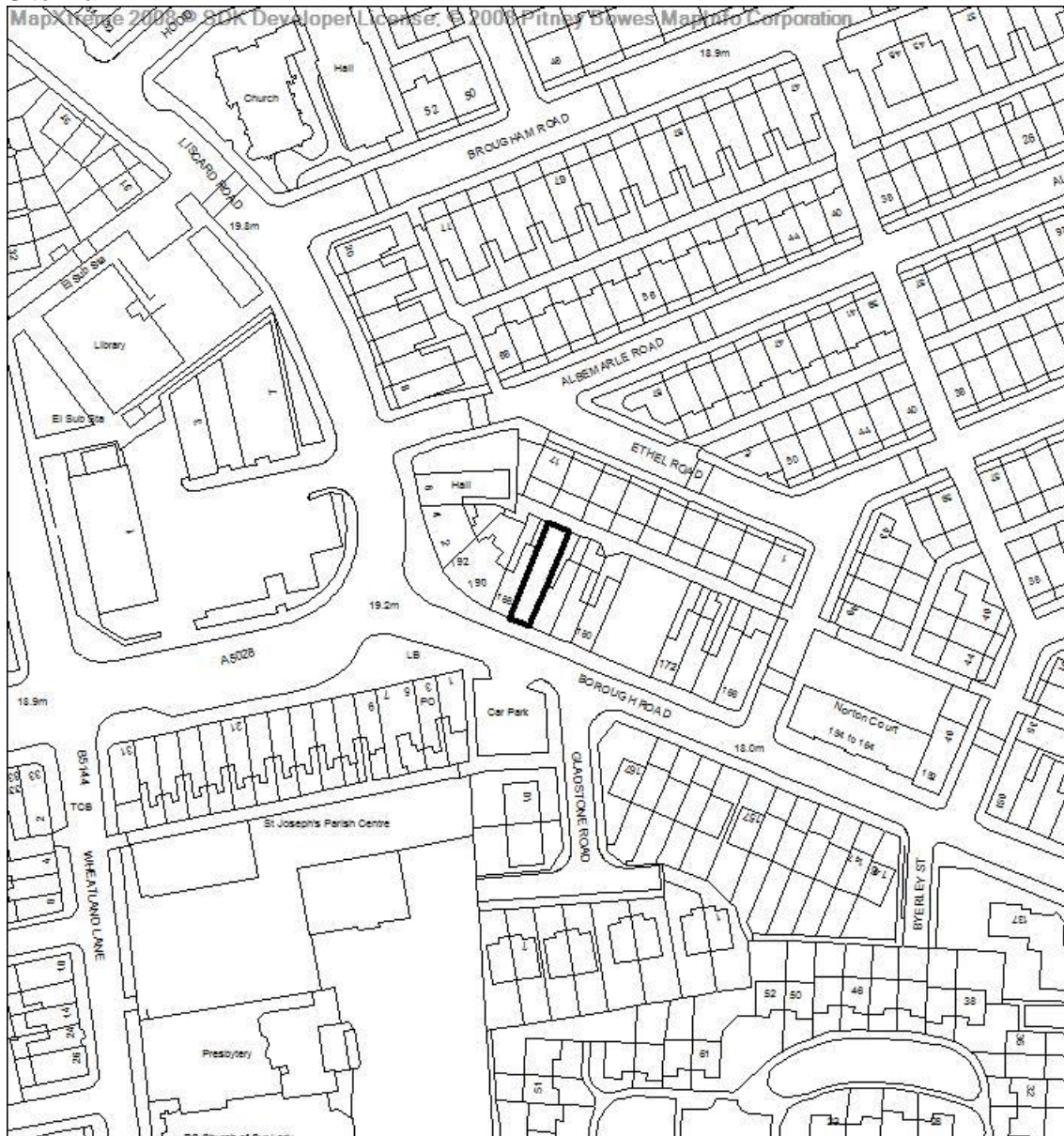
Retention of shop at ground floor and change of use of the rear store, first and second floor of the building to a 5 bedroom HMO (Use class C4) with associated alterations. (Amended scheme).

Applicant:

Mr Ale

Agent :

Site Plan:



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Development Plan Designation
Traditional Suburban Centre

Planning History:

Location: 186, Borough Road, Seacombe. L44 6NJ
Application Type: Full Planning Permission
Proposal: Erection of new shop front.
Application No: APP/92/06872
Decision Date: 22/12/1992
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 11 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report no objections have been received from surrounding properties.

Councillor Stuart, Councillor Chris Jones & Councillor Adrian Jones have requested the application be taken out of delegation as they have strong reservations regarding the intensification of overcrowding and HMO's in this area.

CONSULTATIONS:

Engineers Department - No objections

Environmental Health – No objections

DIRECTORS COMMENTS:

REASON FOR REFERRAL

Councillor Stuart, Councillor Chris Jones & Councillor Adrian Jones have requested the application be taken out of delegation as they have strong reservations regarding the intensification of overcrowding and HMO's in this area.

INTRODUCTION

The proposed development is for the retention of shop at ground floor and change of use of the rear store, first and second floor of the building to a 5 bedroom HMO (Use class C4) with associated alterations. (This is an amended scheme from that originally submitted as the applicant had wanted to convert the shop at ground floor into living space. The applicant was informed that this would not comply with policy as it was in a traditional suburban centre and the scheme has been amended to retain the ground floor shop.

PRINCIPLE OF DEVELOPMENT

UDP Policy SH7 permits conversion of upper floors in retail premises subject to access, parking, servicing, amenity, security and compatibility considerations.

Proposals for HMO's are not permitted unless all the criteria in Policy HS14 are fulfilled.

SITE AND SURROUNDINGS

The site is made up of a retail premises at ground floor with what appears from the outside to be a residential flat above. There are a mix of properties in the area including a public house, shops, cafes, hot food takeaways as well as housing mixed in with the commercial properties further down Borough Road. The property is located within a terrace block and there are a number of vacant units along this particular parade.

POLICY CONTEXT

UDP Policy HS14: Houses in Multiple Occupation is the relevant local plan policy. The policy establishes a number of criteria that must be fulfilled: 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; the proposal ensuring the privacy of neighbours and occupants, including the layout of car parking areas, to prevent overlooking of habitable room windows; staircase access normally being provided 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; any extensions required complying with Policy HS11; any new windows required to serve habitable rooms, such as living rooms, kitchens or bedrooms, not overlooking adjoining properties to an unacceptable degree; any interior vertical partitions not cutting across windows and ceiling height reductions not being visible externally; adequate sound proofing being provided; any basement accommodation 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 access ways; main living rooms having a reasonable outlook and not lit solely by roof lights, nor in close proximity to high boundary or gable walls; access to rear yards/gardens being provided from each flat; adequate visibility at entrance and exit points and turning space for vehicles; and 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.

Policy SH7 - Upper Floor Uses in Retail Premises states the Local Planning Authority will permit the conversion of upper floors above shops for office uses or for residential uses not covered by permitted development rights, subject to access, parking, servicing, amenity and shop security considerations and the compatibility of the proposed use with neighbouring upper floor activities.

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.

The National Planning Policy Framework states that the purpose of planning is help to achieve sustainable development. Development is expected to make a positive contribution to an area and use opportunities to improve the character and quality of an area. It is a core principle that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants..

APPEARANCE AND AMENITY ISSUES

As stated above the plans have been amended to improve the layout and retain the commercial frontage at ground floor which has been reviewed by the Housing Standards scheme. The number and size of the bedrooms is therefore deemed acceptable having regards to UDP policy HS14. No objections have been raised to the application by the Environmental Health Team and therefore given the size, layout and location of the application building and curtilage, it is not considered that significant impacts would arise from the grant of planning permission.

The HMO will allow the first and second floor of the premises to be used effectively without detriment to the commercial frontage. The use of the ground floor for A1 is deemed acceptable having regards to policy SH2 and the introduction of a HMO above ground floor is deemed as an acceptable use within a Traditional Suburban Centre. The first and second floors were already being used as residential accommodation and as such the conversion to a HMO will have minimal disruption to the area.

Considering appearance, internal alterations will be undertaken to facilitate the use, including the insertion of partitions and the addition of additional bathroom areas and a kitchen diner at ground floor. The only external alteration is for the introduction of a window in the kitchen to ensure there is outlook and ventilation.

The applicant has confirmed that the existing outbuilding at the rear of the premises has been demolished providing out door amenity space in the form of a rear yard with access to a gated alley

way. A condition is proposed to secure appropriate cycle parking facilities at the site should members be minded to approve the application in addition to a bin storage condition.

Concern had originally been raised by the housing standards team over the size and design of the kitchen area. The applicant has confirmed that the kitchen will be in excess of the required 18m². The kitchen measures 2.7m x 6.8m = 18.36m². In addition the applicant states that the layout of the kitchen has not been finalised and as such will work with housing standards to secure a HMO licence. The layout of the kitchen will therefore need to be amended to comply with housing standards legislation. Layout of the kitchen alone would not be a valid reason to refuse a planning application.

It is considered that the proposed development is acceptable in terms of its use and the proposed amendments will ensure the commercial aspect of the traditional suburban centre is preserved. The introduction of a HMO at first and second floor will not result in a detrimental impact upon the amenities of surrounding properties and as such the development is deemed acceptable in terms of the criteria set out in UDP policy HS14 and SH7 as well as the NPPF.

SEPARATION DISTANCES

The proposal is for a change of use of an existing building, and as such the only consideration is whether the use would result in new opportunities for overlooking, or result in additional rooms being used for a habitable purpose that might result in privacy issues. It is not considered that privacy or overlooking issues would arise to the front, side or rear of the property, given that all of the windows are existing. The new window at ground floor will only allow views into the rear yard area.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no significant highway implications relating to this proposal, the site is deemed to be located within a sustainable location with good transport links to local services and beyond.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental/sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered to be of a scale and design which would not result in a detrimental change in the character of the surrounding area. The ground floor use is retained as commercial within the Traditional Suburban Centre and the first and second floor HMO development will not result in any significant impacts on the amenities of neighbours surrounding the site in terms of loss of outlook, privacy, daylight or sunlight. It is considered that the proposal complies with Policy HS14 and SH7 of the adopted Wirral Unitary Development Plan and 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 considered to be of a scale and design which would not result in a detrimental change in the character of the surrounding area. The ground floor use is retained as commercial within the Traditional Suburban Centre and the first and second floor HMO development will not result in any significant impacts on the amenities of neighbours surrounding the site in terms of loss of outlook, privacy, daylight or sunlight. It is considered that the proposal complies with Policy HS14 and SH7 of the adopted Wirral Unitary Development Plan and 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 26th September 2017 and 16th October 2017 and listed as follows: 16_2017_01 rev C, 16_2017_02 rev C, 16_2017_03 rev C, 16_2017_04 rev D, 16_2017_05 rev C & 16_2017_06 rev C (Dated 22.08.17).

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

3. 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.

4. Prior to the first occupation of the HMO arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan.

Last Comments By: 03/11/2017 16:46:11

Expiry Date: 11/09/2017

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Planning Committee

18 January 2018

Reference:
APP/17/01009

Area Team:
North Team

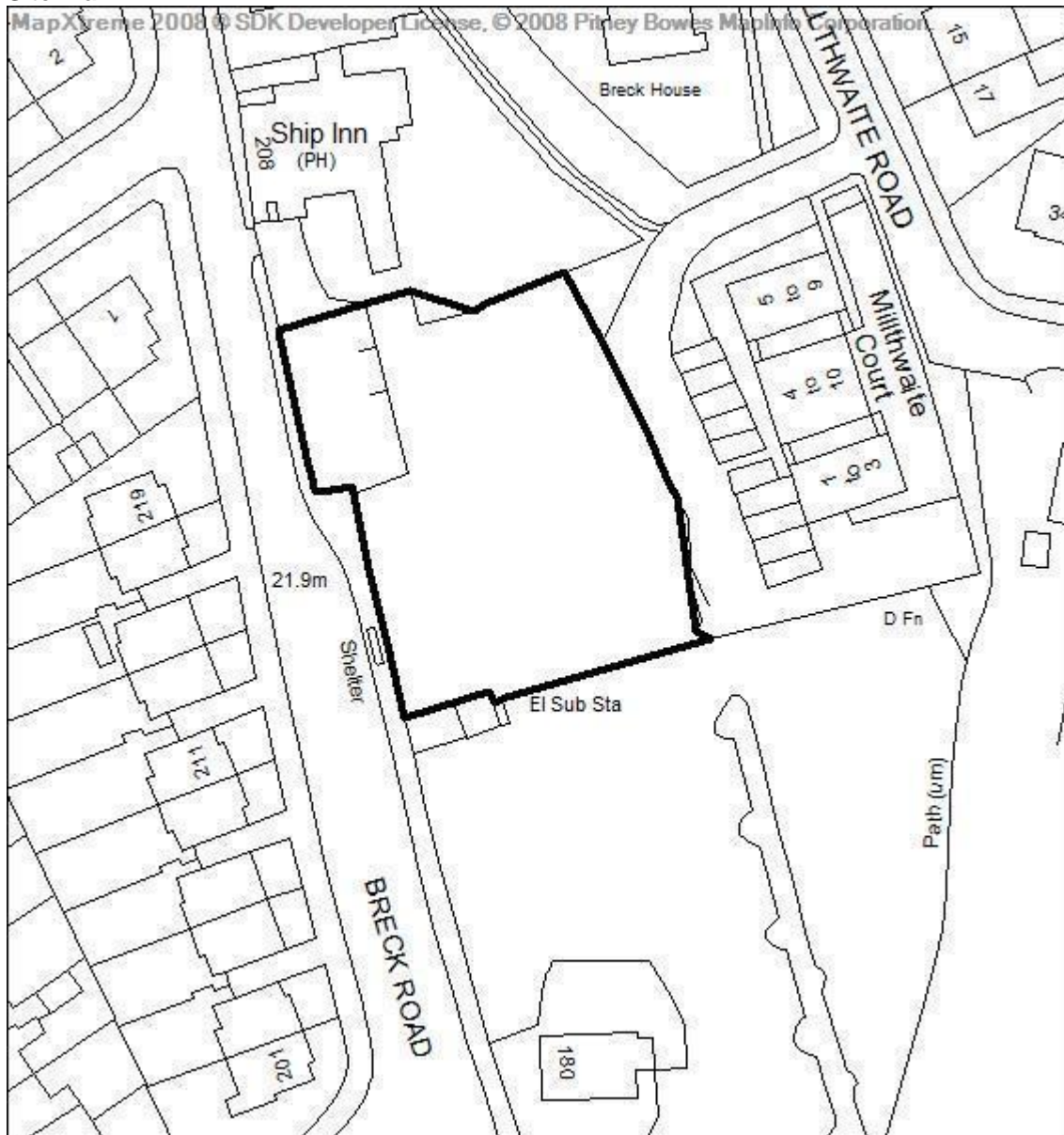
Case Officer:
Mr K Spilsbury

Ward:
Liscard

Location: The Ship Inn, 208 BRECK ROAD, WALLASEY VILLAGE, CH44 2ED
Proposal: Erection of 9 new dwellings and associated landscaping on land adjacent to the former Ship Inn, Breck Road, Wallasey.

Applicant: Leftfield Investment Holdings Ltd.
Agent : NC Architecture

Site Plan:



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Development Plan Designation:
Primarily Residential Area

Planning History:

Location: The Ship Inn, 208 BRECK ROAD, WALLASEY VILLAGE, CH44 2ED
Application Type: Full Planning Permission
Proposal: Change of use from existing public house with manager's flat above (A4 & C3), to single dwelling house (C3). Demolition of single-storey side extension, replace pitched roof to rear with flat roof terrace and partial demolition of existing outhouse buildings (amended plan received).
Application No: APP/17/00674
Decision Date: 16/08/2017
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Planning Applications, 32 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing 12 representations have been received, 11 objections and 1 qualifying petition of objection. The objections are listed as follows and addressed below:

1. The height of the proposed dwellings will result in rear gardens being overlooked and loss of privacy to the neighbouring flats
2. Loss of value of adjoining properties
3. Loss of trees and impact upon wildlife
4. Development is overbearing (over development), out of scale and character compared with the surrounding properties
5. The development will result in increased parking in the local area- insufficient parking on site
6. Development will result in traffic concerns as this is already a busy road occupied by a large school and as such there are a lot of pedestrians/cars - history of accidents.
7. The site is adjacent to an archaeological site
8. Impact upon surrounding properties during the construction period
9. Loss of view of the woods
10. Is there a right of way or TPO on the site?
11. it is unclear if there is a terrace or balcony at the rear of the site?
12. stability of the land may be compromised

CONSULTATIONS

Highways - No objection.

Environmental Health No Objection

Wirral Wildlife - No Objection

DIRECTORS COMMENTS:

REASON FOR REFERRAL

A qualifying petition of objection has been received. In accordance with the scheme of delegation the application must be heard at committee.

INTRODUCTION

The proposed development is for the erection of 9 dwellings with associated landscaping, parking and vehicular access.

PRINCIPLE OF DEVELOPMENT

The site is located within a primarily residential area in accordance with Wirral's Unitary Development Plan (UDP) and as such the erection of houses is acceptable in principle.

SITE AND SURROUNDINGS

The site is made up of a former car parking area associated with the former Ship Inn and area of

wooded land located to the rear. The public house lies to the north of the site and is rendered white. Planning consent has recently been granted for the change of use of the public house to a single dwelling - APP/17/01148.

Surrounding properties include two storey semi-detached housing opposite, four storey apartments at the rear as well as large detached dwellings, a sandstone cottage, bungalows and Weatherhead High school further to the south of Breck Road.

The Breck (Urban Greenspace) lies to the south east of the site. The rear parcel of land that forms part of the development site although wooded with predominantly self-seeded trees, does not fall within that land use allocation but is primarily residential in accordance with the Wirral UDP.

Wallasey Village lies to the north of the site where there are a shops, transport links (two train stations), schools, doctors surgeries and a library.

POLICY CONTEXT

Wirral's Unitary Development Plan (UDP)

The application site is designated within Wirral's Unitary Development Plan (UDP) for Primarily Residential Purposes. As such, the principle of development is acceptable, subject to assessment under UDP Policy HS4, GR5, GR7, PO7 & NC7, the NPPF and any other material 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.

Policy HS4 of the Wirral Unitary Development Plan establishes a number of criteria that must be met if new housing development is to be permitted, as follows:

- (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.

The policy also states all proposals whose main elevations are parallel to other residential properties, 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.

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. 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.

Currently the site is split into two distinct sections, the former car park of the Ship Inn and a small copse of trees adjacent to the Breck Recreation Ground (Land designated as Urban Green Space).

In terms of trees policy GR7 - Trees and New Development is directly relevant as there are a number of trees along the eastern edge of the site that are protected by tree preservation orders. The policy

states: In assessing the protection to be given to trees on development sites the Local Planning Authority will consider the general health, structure, size and life expectancy of trees, their visual value within the locality and their value for nature conservation and will require that buildings, structures and hard surface areas are sited in order to:

- (i) substantially preserve the wooded character of the site or of the surrounding area;
- (ii) provide for the protection of trees of greatest visual or wildlife value and other vigorous healthy trees;
- (iii) ensure that trees to be retained have adequate space in order to prevent damage to their canopy or root structures during construction and to allow for the future growth of canopy and roots to normal mature sizes;
- (iv) prevent the removal of trees by occupiers of the development to obtain reasonable sunlight to habitable rooms, secure an open unshaded garden area, or to remove perceived dangers to life and property; and
- (v) protect trees on adjacent land which may be affected by the development proposed;

As concerns have been raised by residents over the stability of the land Policy PO7 - Development on Unstable Land is relevant. This states: Where development proposals are on or near land which is suspected or known to be unstable the Local Planning Authority will request additional information from the applicant in order to assess whether the land is suitable for the development proposed and whether any instability can be adequately overcome.

In addition as the copse of trees present a potential habitat of protected species policy NC7 Species Protection is also directly relevant. This states:

Development which would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of the species can be secured through the use of planning conditions and/ or planning obligations.

In accordance with the Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton 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. Conditions can be imposed to ensure this is achieved.

National Policy (National Planning Policy Framework)

NPPF establishes a positive presumption in favour of sustainable development, sustainable development being defined by paragraphs 18 to 219 of the NPPF, taken as a whole. It is a core principle that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants.

. The site is accessibly located within the urban area, accessible and well provided for by transport infrastructure and local services including shops and cafes, schools and a library in Wallasey Village. Bus services and train stations on are within easy walking distance of the site.

APPEARANCE AND AMENITY ISSUES

The proposed development is for the erection of 9 contemporary dwelling houses, in three blocks, 3 fronting onto the road and 6 (two blocks of 3) set back into the landscape. Properties have front balconies at second floor to maximise the views west towards the M53, Leasowe and the Irish Sea beyond.

It is considered that the development makes effective use of the land within a sustainable location. The proposal for 9 residential units would achieve appropriate spacing and provision of sufficient private amenity space. Due to the topography of the land the development will appear three storey at the front on Breck Road and two storey at the rear with an excavated courtyard, terraced deck area above at ground floor level. As there is a mix of architectural design in the area the proposed modern design is deemed appropriate to its setting. Surrounding properties include two storey semi-detached housing opposite, four storey apartments at the rear as well as large detached dwellings, a sandstone cottage, bungalows and Weatherhead High school which has its own unique modern form.

It is considered that the change in materials successfully deals with the two distinct characters of the site. The white rendered units 1-3 tie into the built form of the neighbouring public house and surrounding residential housing stock whilst the wooden cladding on units 4 - 9 softens the appearance of the dwellings when seen against the back drop of the trees, almost disguising the properties and blending them into the landscape.

Concerns raised by objectors

At the time of writing 12 representations have been received, 11 objections and 1 qualifying petition of objection. The objections are listed as follows and addressed below:

1. The height of the proposed dwellings will result in rear gardens being overlooked and loss of privacy to the neighbouring flats
2. Loss of value of adjoining properties
3. Loss of trees and impact upon wildlife
4. Development is overbearing (over development), out of scale and character compared with the surrounding properties
5. The development will result in increased parking in the local area- insufficient parking on site
6. Development will result in traffic concerns as this is already a busy road occupied by a large school and as such there are a lot of pedestrians/cars - history of accidents.
7. The site is adjacent to an archaeological site
8. Impact upon surrounding properties during the construction period
9. Loss of view of the woods
10. Is there a right of way or TPO on the site?
11. it is unclear if there is a terrace or balcony at the rear of the site?
12. stability of the land may be compromised

Having regards to the setting of the development the Council consider that it is essential to preserve the overall wooded character and feel of the area whilst also accommodating the need for residential development within the residential area of Wallasey. As such the trees running along the front of the site behind the sandstone wall (along Breck Road) have been retained as far as possible and enhanced with additional soft landscaping. In addition an arboricultural impact assessment has been carried out at the request of the LPA which in turn has been assessed by the arboricultural officer.

The proposal looks to retain a large section of mature trees at the front of the site as well as introducing soft landscaping and additional tree planting at the rear of the site along the boundary with Millthwaite Court. Whilst there is a tree preservation order running along the eastern boundary, a number of the trees have already been removed prior to the submission of the application. The proposed scheme will result in additional tree planting along this boundary to enhance the provision. Most of the trees to be removed within the core of the site are not protected. The Arboricultural officer has assessed the scheme and has confirmed that the majority of trees that are to be removed to facilitate the development are of low value and the mitigation measures including the replacement tree planting scheme will enhance the overall quality of trees and thereby help to preserve the semi wooded character of the area.

As there are a number of level changes in and around the site it is not considered that the development will have any sort of adverse impact upon the flats - Millthwaite Court at the rear of the site. Contextual elevations of the proposed dwellings and the surrounding properties as well as sections through the site provide valuable details of how the properties interact with the existing neighbouring buildings. Separation distances between the flats and the properties opposite the site are in excess of the Councils standard separation distances. In addition the changes in level between adjoining sites will ensure Millthwaite Court will maintain its outlook over the roof of the proposed dwellings.

The closest properties to the dwellings located on the opposite side of Breck Road are located in Block B. These dwellings maintain a 21m separation distance from the neighbours. There is a raised terrace proposed at second floor and due to the height of the proposed balustrade the view will be over the roof tops of the lower dwellings as demonstrated in the cross section drawing P-251 REV 01. In terms of ecology, the extended phase 1 habitat survey findings suggest that there will be no harm

to protected species or sites. This has been verified by Wirral Wildlife, who states that whilst some of the woodland will be lost to development this part is of less value than the areas that will be retained. Conditions for tree protection fencing as well as for conditions for the protection of nesting birds will be required and as such should members be minded to approve the scheme will be added to the approval.

As highlighted above, the scale and design of development is seen as appropriate to the site, maximising a partially developed site within a residential area for housing. In terms of the design, this has been agreed with the LPA as an acceptable solution to the mixed character of the area and in accordance with the National Planning Policy Framework, stating that development should make good use of land. The National Planning Policy Framework is also relevant, in which there is a presumption in favour of sustainable development, which this site is, as it is within walking distance of shops, services and schools and has good transport links to local bus routes (bus stop virtually outside site) and within walking distance of two train stations.

Having regards to the other objections loss of value, loss of view and the construction issues are not planning matters and cannot be taken into consideration in the determination of this planning application. However should members be minded to approve the application a condition for a construction management plan will be imposed. There is no information before me to suggest that the land is unstable, however following consultation with building control it has been confirmed that the site is formed on sandstone and may be stable for development. However should members be minded to approved the application a condition for a geo-technical survey can be imposed to ensure this is confirmed.

The site is not archaeologically important in accordance with the UDP proposals maps and there is no right of way through the site. Issues relating to highways, traffic safety and parking are dealt with below.

SEPARATION DISTANCES

As stated above separation distances are deemed acceptable in this instance. The layout of the site and topography of the land ensures that outlook and privacy will be preserved.

HIGHWAY/TRAFFIC IMPLICATIONS

The Engineers Department has been consulted on this scheme and has not raised any objections having regards to parking, highways safety or capacity. Due to the changes in levels of the site and the adjoining highway the access road into the site that is proposed by the architect is very steep and as such deemed unsuitable. However should members be minded to approve the scheme the Engineers Department have agreed that this can be addressed through condition to ensure the cross fall on the footway and the vehicle crossing is no steeper than 1 in 40 to ensure highway safety. Concerns raised above over highway safety, increased parking in the local area and increased traffic on Breck Road are not deemed sufficient to warrant refusal of the scheme.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

In conclusion, the development of this site is considered to be acceptable. The proposed layout and design are considered to acceptable and will result in a development which does not harm the character or appearance of the area. As such, the proposal complies with Wirral Unitary Development Plan policies HS4, GR5, GR7, PO7 & NC7 and 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 development of this site is considered to be acceptable. The proposed layout and design are considered to be acceptable and will result in a development which does not harm the character or appearance of the area. As such, the proposal complies with Wirral Unitary Development Plan policies HS4, GR7, NC7 and 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. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 14th August 2017 and listed as follows: 2717 P-150 Rev 00 (Dated 08.17), 2717 P-151 Rev 01 (Dated 08.17), 2717 P-152 Rev 01 (Dated 08.17), 2717 P- 250 Rev 00 (Dated 08.17), 2717 P-251 Rev 01 (Dated 08.17), 2717 P- 252 Rev 01 (Dated 08.17), 2717 P- 253 Rev 01 (Dated 08.17), UG_11533_LAN_DRW_HL_L01 Rev P01 (Dated 11.08.17), UG_11533_LAN_DRW_HL_L02 Rev P02 (Dated 11.08.17), UG_11533_LAN_DRW_HL_L03 Rev P02 (Dated 11.08.17), UG_11533_ARB_TPP_02 Rev P02 (Dated 02.08.17) & UG_11533_ARB_TRP_02 Rev P02 (Dated 02.08.17)

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

4. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

5. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.

B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be

carried out in accordance with BS3998, 2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- J. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).
- K. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)
- L. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- M. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- N. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).
- O. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- P. the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To protect trees which are of significant amenity value having regards to policy GR7 of Wirral's UDP

- 6. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

- 7. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM9 of the Waste Local Plan.

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of noise, dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of adjoining residents and having regard to Policy HS4 of the Wirral Unitary Development Plan.

9. No development shall commence until details of works to provide vehicle accesses and a 2m wide footway between the site and Breck Road have been submitted to and approved in writing by the Local Planning Authority. For the benefit of doubt, the crossfall on the footway and vehicle crossings shall not be steeper than 1 in 40. The works shall be completed in accordance with the approved details prior to first occupation of the development hereby approved and retained as such thereafter.

Reason: Having regards to highway safety in accordance with policies HS4 and TR9 of the Wirral UDP

10. Prior to commencement of development a geotechnical land survey shall be carried out in order to assess the stability of the land. The survey shall be submitted to and agreed in writing with the local planning authority prior to commencement and the agreed findings implemented in full.

Reason: In order to assess the impact of the development on the land in accordance with Policy PO7 of the Wirral UDP.

Last Comments By: 22/09/2017 14:15:15

Expiry Date: 09/10/2017

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Planning Committee

Planning Committee

18 January 2018

Reference:
APP/17/01092

Area Team:
South Team

Case Officer:
Miss A McDougall

Ward:

Heswall

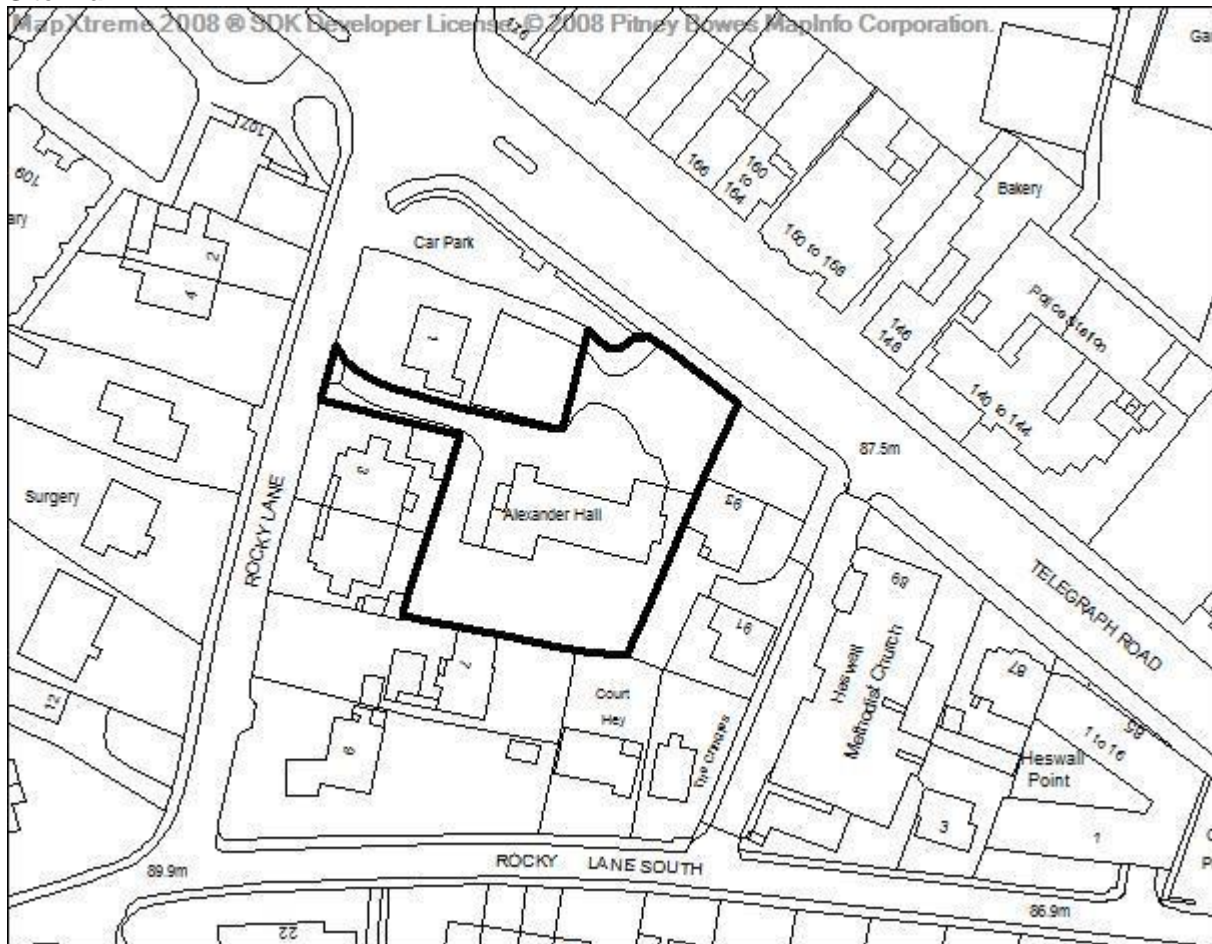
Location:
Proposal:

Alexander Hall, ROCKY LANE, HESWALL, CH60 0BY
Demolition of the Alexander Hall and erection of ten apartments - amendments to Approved Proposal, APP/16/00024 & Approved Proposal APP/15/00718 including amendments to lift shafts, window style & internal alterations, conditions attached to APP/16/00024 addressed.

Applicant:
Agent :

Alexander Hall Developments Ltd
KJP Architecture

Site Plan:



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Development Plan Designation:

Primarily Residential Area

Planning History:

Location: Alexander Hall, ROCKY LANE, HESWALL, CH60 0BY
Application Type: Full Planning Permission
Proposal: Demolition of the Alexander Hall and erection of Eight Apartments

(Amended Plans)

Application No: APP/15/00718

Decision Date: 09/09/2015

Decision Type: Approve

Location: Alexander Hall, ROCKY LANE, HESWALL, CH60 0BY

Application Type: Full Planning Permission

Proposal: Demolition of the Alexander Hall and erection of ten apartments - additional two units to Approved Application APP/15/00718

Application No: APP/16/00024

Decision Date: 22/04/2016

Decision Type: Approve

Location: Alexander Hall, Rocky Lane, Heswall, L60 0BY

Application Type: Full Planning Permission

Proposal: Use of hall by pre-school playgroup

Application No: APP/79/12050

Decision Date: 18/04/1979

Decision Type: Conditional Approval

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 28 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 2 objections and a Qualifying petition of objection have been received, listing the following grounds:

1. increase height and mass
2. impact onto privacy
3. does not meet the separation distances
4. loss of garden space
5. loss of sandstone
6. interior arrangement
7. parking is inadequate
8. additional roof lights
9. boundary treatment and landscaping
10. not built what was approved

CONSULTATIONS:

Highways - No Objections

Environmental Protection - No Objections

LLFA - Previous condition to be carried over

The Heswall Society - Objection to the amendments due to layout, height, overlooking, loss of garden and contrary to SPD2

DIRECTORS COMMENTS:

REASON FOR REFERRAL

The application is a major development and a qualifying petition of objection containing 44 signatures has been received.

INTRODUCTION

The proposal is for amendments to a previously approved residential development.

The original proposal was for 8 flats approved under reference 15/00718, a subsequent application was submitted for an extension and the addition of 2 flats under planning reference 16/00024. The total development as approved cumulated in 10 residential units, the proposal as built does not seek to alter the number of residential units.

The building is now near completion and following a site visit there are works that have been included that did not form part of either planning approval and require further consent, this application seeks to gain approval for retrospective works, these works include an increase to part of the roof height,

additional windows, balconies and roof lights.

PRINCIPLE OF DEVELOPMENT

The principle of development has been determined as acceptable for a residential development on this plot.

SITE AND SURROUNDINGS

Alexander Hall was a vacant, former Council building accessed from Rocky Lane via an existing driveway with part of the site fronting onto Telegraph Road to the south, the building has since been demolished and the building externally is complete, although certain elements of the building do not correspond with the previously approved plans.

Other than the boundary onto Telegraph Road, the site is bounded with houses/residential curtilage/garden areas of houses along Rocky Lane and Rocky Lane South. There are mainly houses along Rocky Lane with commercial and retail units on Telegraph Road. There are a number of trees and scrub around the perimeter of the site, some of which have been removed following start of works. The existing building was vacant and in a poor state of repair.

POLICY CONTEXT

Policies URN1 and HS4 of the Wirral Unitary Development Plan are relevant to this proposal. The proposal is in accordance with Policy URN1 where it states that housing to meet local needs should make full and effective use of land by bringing unused land into beneficial use. Policy HS4 states that proposals should be an appropriate scale that relates well to surrounding property, in particular with regard to existing densities and form of development. The development should not result in a detrimental change in the character of the area and should provide appropriate landscaping and boundary treatment that contributes to a secure environment, whilst providing adequate individual private or communal garden space for each dwelling.

Supplementary Planning Document 2 (SPD2) - Designing for Self Contained Flat Development and Conversions states that new buildings must be sited having regard to the layout, pattern and use of spaces between other buildings; not be visually overbearing or dominant and adequate garden space should be provided.

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.

National Planning Policy Framework, which is a significant material consideration, states that good design is a key aspect of sustainable development and that proposals should optimise the potential of the site to accommodate the development. It is a core principle that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants. Paragraph 135 states that the scale of any harm or loss of a non-heritage asset should be taken into account when determining a planning application. The original building was in an adequate state of repair however does not display any original or unique features that would warrant its retention.

APPEARANCE AND AMENITY ISSUES

The application seeks retrospective approval of works that have been undertaken without prior planning consent, however the site does benefit from two current planning approvals for a total of 10 flats. A number of the discrepancies have a minimal impact onto the general appearance of the building or amenity of neighbouring properties such as the inclusion of roof lights and slight increase/decreases to eaves height, window positions etc.

There are however two elements of the build that are of concern and sited to the west facing elevation, these include the addition of step out balconies and increase in roof height from two storey to three storey with an increase in roof pitch height.

The plans have been further amended following a meeting with the agent as the roof height was

shown as being higher on plan in comparison to what has been built, this amendment was received 21st November 2017 plan 005. The element of roof that has been increased in height only occupies a small area of the building and has a hipped roof design so as to minimise the overall impact, the increase in height does result in additional windows that serve flat 10 however neither window serves habitable rooms, as such these windows can be conditioned to be fixed and obscurely glazed so that the interface distances are met, these blank second storey windows are 20m from the rear elevation of the houses on Rocky Lane, which given the additional storey meets the interface distances from habitable room to blank elevation.

Concerns have been raised with regards to additional roof lights, it is not considered that the roof lights result in an increase in overlooking as they are not "true" windows they do not afford the same outlook, the roof pitch and height has been approved and the roof lights are not considered to cause unacceptable harm to neighbouring properties.

The west elevation of the building faces the rear elevation of two-storey houses no.3 and 5 Rocky Lane, these houses have relatively small gardens and back onto the site, the west facing elevation was approved with a two-storey wing facing the site and no step out balcony. The site itself is surrounded by housing and each elevation results in a level of impact onto the existing houses, the first floor step out balcony has now been amended to include an internal glazed barrier which prevents the balcony area being used, see drawing number 003 received 21st November 2017, also a photograph from inside the building is included on the file to show the barrier in place. Due to the interface distances and the restricted size of the site, this barrier would be conditioned to remain in situ to restrict any future use of the balcony area that has been constructed.

There are also concerns regarding the loss of amenity space and the increase of parking, however the site has not been fully finished, the formal details of landscaping and hardstanding have not been determined at any stage of the history of the application, as such these conditions will be reimposed onto the decision. The layout plan has also been amended to show soft landscaping reintroduced and the car parking reduced to 10 spaces, one per flat. Given the location of the building within close proximity to Heswall Key Town Centre and a large bus station, the site is considered sustainable in terms of proximity to public transport and shopping.

The resultant building is larger in some areas than the original approval and less sympathetic to the scale of neighbouring buildings, the internal alterations result in changes to the layout of the flats at second floor, however these cumulative alterations are not considered to be unacceptable in their appearance or scale subject to control via appropriate planning conditions.

SEPARATION DISTANCES

Through the control of windows and balconies that have been installed without prior planning approval with appropriate planning conditions, the building as per the built amendments can achieve the separation distances of 14m window to blank elevation and 21m window to window.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The amendments that have been made to the building are considered to be acceptable subject to appropriate planning condition that will protect the amenities of neighbouring residential properties, having regard to Wirral's UDP Policy HS4 and SPD2.

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 amendments that have been made to the building are considered to be acceptable subject to

appropriate planning condition that will protect the amenities of neighbouring residential properties, having regard to Wirral's UDP Policy HS4 and SPD2.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority and listed as follows: 002 Rev H (11.09.2017) 003 Rev J (21.11.2017) 004 Rev H (11.09.2017) 005 Rev J (21.11.2017) 006 Rev J (21.11.2017) & 008 Rev J (12.12.2017)

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

2. The site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the scheme shall include details of planting types, heights, soft and hard landscaping, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy HS4 of the Wirral Unitary Development Plan

3. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties and to accord with Policy HS4 of the Wirral Unitary Development Plan.

4. Prior to first occupation space and facilities for cycle parking of a type and in a location submitted to and agreed in writing by the Local Planning Authority are to be provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 in the Wirral Unitary Development Plan

5. Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system

6. Prior to first occupation of the development a surface water drainage scheme based on the hierarchy of drainage options in the NPPG with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the LPA.

The surface water drainage scheme must be in accordance with the non statutory technical standards for sustainable drainage systems (march 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the LPA, no surface water shall discharge to the public sewer either directly or indirectly.

Reason; To promote sustainable development and secure proper drainage and manage the risk of flooding and pollution.

7. Prior to the first occupation of the dwellings arrangements for the storage and disposal of

refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan

8. Prior to first occupation of Flat A10 as shown on plan 004, the windows to the west facing elevation shall be fitted with fixed and obscure glazing up to a height of 1.7m from the finished first floor internal floor level and shall be permanently retained in that condition thereafter.

Reason: Having regard to neighbouring residential amenity

9. The outer area of Flat A07 as shown on plan 003 received 21 November 2017 shall not be used as a balcony at any time and the internal screen shall remain in situ to prevent stepping out or use of the external area.

Reason; Having regard to residential privacy, in particular the houses on Rocky Lane.

Further Notes for Committee:

1. "Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council's Highway Management team via www.wirral.gov.uk or 0151 606 2004 prior to the commencement of development for further information."

Last Comments By: 16/10/2017 10:23:08

Expiry Date: 11/12/2017

Planning Committee

18 January 2018

Reference:
APP/17/01114

Area Team:
South Team

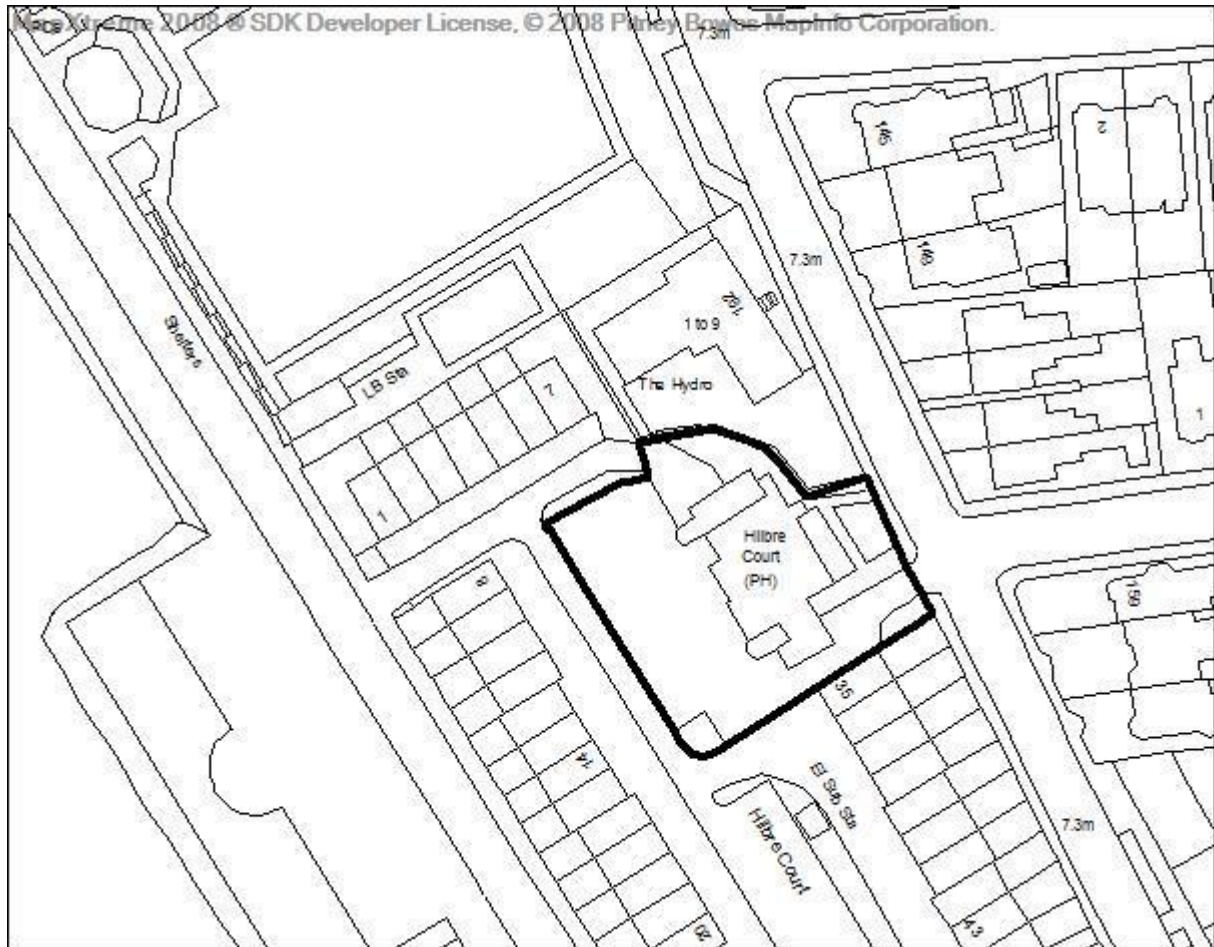
Case Officer:
Mr C Smith

Ward:
**West Kirby and
Thurstaston**

Location: Hilbre Court Hotel, BANKS ROAD, WEST KIRBY, CH48 3HT
Proposal: Retrospective planning application for proposed decking to front elevation and associated landscaping. Including door and window amendments. (Amended).

Applicant: Mechanics Manchester Ltd
Agent : d2 architects

Site Plan:



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Development Plan Designation:

Primarily Residential Area

Planning History:

Location: Hilbre Court Hotel, BANKS ROAD, WEST KIRBY, CH48 3HT
Application Type: Full Planning Permission
Proposal: Retrospective planning application for proposed decking to front elevation and associated landscaping. Including door and window amendments. (Amended).
Application No: APP/17/01114
Decision Date:

Decision Type:

Location: Hilbre Court Hotel, Banks Road, West Kirby, Wirral, CH48 3HT
Application Type: Full Planning Permission
Proposal: Erection of a new timber pedestrian walkway at side, raising of land levels for limited area to side of building with retaining wall, and alterations to beer store.
Application No: APP/01/06604
Decision Date: 19/10/2001
Decision Type: Approve

Location: Hilbrecourt PH,Banks Road,West Kirby ,Wirral,L48 3HU
Application Type: Full Planning Permission
Proposal: Extension to existing front porch.
Application No: APP/83/22365
Decision Date: 26/05/1983
Decision Type: Approve

Location: Hilbre Court P.H., Banks Road, West Kirby. L48 3HU
Application Type: Advertisement Consent
Proposal: Illuminated wall sign.
Application No: ADV/85/05622
Decision Date: 23/05/1985
Decision Type: Approve

Location: Hilbre Court, South Parade, West Kirby. L48 3JU
Application Type: Full Planning Permission
Proposal: Erection of gate posts and walls at entrance and exit.
Application No: APP/87/06017
Decision Date: 04/08/1987
Decision Type: Approve

Location: The Hilbre Court, Banks Road, West Kirby. L48 3HT
Application Type: Advertisement Consent
Proposal: Erection of signs, some illuminated.
Application No: ADV/93/05667
Decision Date: 11/06/1993
Decision Type: Approve

Location: Hilbre Court P.H., Banks Road, West Kirby. L48 3JU
Application Type: Full Planning Permission
Proposal: Single storey lounge extension to front and new mansard roof.
Application No: APP/92/06681
Decision Date: 01/12/1992
Decision Type: Approve

Location: The Hilbre Court, Banks Road, West Kirby. L48 3HT
Application Type: Advertisement Consent
Proposal: Erection of an illuminated sign.
Application No: ADV/93/05992
Decision Date: 23/07/1993
Decision Type: Approve

Location: Hilbre Court P.H., Banks Road, West Kirby. L48 3JU
Application Type: Full Planning Permission
Proposal: Proposed new mansard roof to existing flat roof structure and new external terrace with fencing.
Application No: APP/92/06175
Decision Date: 07/09/1992
Decision Type: Approve

Location: The Hilbre Court Public House ,Banks Road ,West Kirby,L48 3JU
Application Type: Advertisement Consent
Proposal: Sign board affixed to front wall.
Application No: ADV/82/20564
Decision Date: 22/07/1982
Decision Type: Refuse

Location: Hilbre Court Ph ,Banks Road ,West Kirby,L48 3HU
Application Type: Advertisement Consent
Proposal: Illuminated wall board
Application No: ADV/82/21851
Decision Date: 03/03/1983
Decision Type: Refuse

Location: Hilbre Court,Banks Road,West Kirby,CH48 3HU
Application Type: Advertisement Consent
Proposal: Display of illuminated double sided box sign.
Application No: ADV/79/13007
Decision Date: 27/09/1979
Decision Type: Refuse

Location: Hilbre Court Public House,Banks Road ,West Kirby, L48 3HU
Application Type: Full Planning Permission
Proposal: Erection of a pergola and outdoor drinking area at the premises
Application No: APP/83/23702
Decision Date: 24/11/1983
Decision Type: Refuse

Location: Hilbre Court Public House,Banks Road, West Kirby,L48 3HU
Application Type: Advertisement Consent
Proposal: Illuminated fascia signs at the premises
Application No: ADV/83/23723
Decision Date: 24/11/1983
Decision Type: Conditional Approval

Location: Hilbre Court Public House,Banks Road ,West Kirby, L48 3HU
Application Type: Full Planning Permission
Proposal: Formation of new porch and alterations to front elevation at the premises
Application No: APP/83/23701
Decision Date: 24/11/1983
Decision Type: Conditional Approval

Appeal Details

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications 26 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 25 objections have been received and 9 letters of support in regard to the application.

Brief summary of objections:

1. The raised decking area has direct views into adjacent properties and is therefore intrusive. The development will further severely overlook neighbouring properties and is increasing the use of the internal building near the neighbouring flats.
2. The front elevation has been ruined and looks under construction. The cages are not in keeping with the area.
3. The noise from the premises will be easily heard from adjacent properties and will be increased. Currently noise disturbance from the staff and patrons is a regular occurrence.
4. During the summer the double doors to the decking will be open which will increase noise to local residents.

5. The side windows directly face bedroom windows.
6. The side windows should be obscured or have blinds to protect neighbours privacy.
7. The side windows will be opened and create noise disturbance to neighbouring residents.
8. The new access to the side patio from the new side windows should be refused, as it will cause increased disturbance.
9. The development means I feel uncomfortable sitting on my balcony, as I have no privacy.
10. During the summer neighbouring flats need to open their windows for heat ventilation and the noise from the proposal will be prominent.
11. The amended doors and windows result in significant light pollution to neighbouring dwellings.
12. The proposed development is on a raised level and not a street level.
13. The proposal will result in more on street parking. Most residents have no alternative to on-street parking.
14. The Council should consider their responsibilities under the Human Rights Act Protocol 1, Article 1, which states that a person has the right to peaceful enjoyment of all their possessions which include their home. Article 8 further states that a person has the substantive right to respect for their private family life.
15. The development has ignored the local community and planning restrictions.
16. I no longer feel welcome in the community pub.
17. The development has increased street littering.
18. If a resident built something without permission they would have to remove it then re-apply, so why not in this case?
19. The hotel has added white and blue string lights to the front elevation along with six small spot lights. These lights are on until late and are incredibly distracting and disturbing. These lights breach the Environmental Protection Act 1990 as a statutory nuisance, and interfere with the enjoyment of my home.
20. The steps down from front elevation patio doors did not exist.
21. I did not receive a notification.
22. The owners have disregarded the legacy of hosting traditional community groups, and are destroying committee life.
23. The previous owners of the pub had a good relationship with the neighbours and the new management have made no attempt to do so.
24. The proposed side facing windows will lead to the side patio area which will increase privacy issues to neighbouring dwellings. By the looks of the proposed plans this side patio area will be raised.
25. The plans include a side facing patio door section that should be included in the proposal.
26. The front elevation existing doorway is incorrect and a large tree has been omitted from the plans, this tree blocks light pollution and it should be retained.
27. The building is operating as a restaurant and not a pub, and the pub is meant to be an asset of community value. Planning permission should have been sought to change the use.
28. The location plans include land owned by Hilbre Court Management Ltd.
29. Rules of a covenant are being ignored.
30. The original site notice has not been updated to reflect the description change.

Brief summary of letters of support:

1. The building has been significantly improved with the renovations and finished to a high standard.
2. Previously when the building was a bar people would stand outside long after closing time during the summer and the noise was significant.
3. Diners will be less of a nuisance than drunken customers who hang around until late.

CONSULTATIONS:

Head of Environment and Regulation (Environmental Health Division) – No objection.

Head of Environment & Regulation (Traffic & Transportation Division) - No objection.

Lead Local Flood Authority – No objections received.

Environment Agency – No objections received.

DIRECTORS COMMENTS:

REASON FOR REFERRAL

The application received 25 individual objections and therefore qualifies under the Local Authority's

adopted Scheme of Delegation to be determined by the Planning Committee.

INTRODUCTION

The proposal is seeking retrospective planning permission for the retention of a decking to front elevation and associated landscaping; including door and window amendments. The former Hilbre Public House was identified as Community Asset of Value on the Council's list on 11th December 2016 because the principal use of the asset furthers the social well-being, or cultural, recreational or sporting interests of the local community and it is realistic to believe this will continue.

An enforcement complaint was made against the site by a member of the public in regard to unauthorised development. This application was subsequently submitted to the Local Authority for its consideration.

PRINCIPLE OF DEVELOPMENT

The development is only permitted subject to compliance with UDP Policy HS15 Non-Residential in a Primarily Residential Area, UDP Policy PO3 Noise, and Supplementary Planning Document SPD3: Hotfood Takeaways, Restaurants, and Cafes & Drinking Establishments.

SITE AND SURROUNDINGS

The proposal site is located in an area designated as a Primarily Residential Area. The proposal site is just over 200 metres away from a Key Town Centre as designated in Wirral's Unitary Development Plan.

The existing building on the proposal site visually appears two storeys from the front elevation and three storeys from the sides and rear elevations. From the front elevation the main internal floor of the building is approximately 1.5 metres higher than the street level, which gives the building some prominence in the street scene. The land level of the site drops considerably from the street level of Banks Road and plateaus at the rear of the site. The East, West and South boundaries of the proposal site consists of timber fencing that varies in height. The proposal site is surrounded on all sides by a mixture of residential flats and dwellings that are between two to four storeys in height.

The proposal site buildings main entrance consists of a slopping concrete ramp on the front elevation to the East of the site. The current building has a further double door access on the existing front decking, which is not accessible directly from the public highway. The sides and rear of the building also have a number of doorways which can be used for access to the internal building.

The proposal site has an existing front decking section which is being considered by this application. The front elevation of the building has had significant landscape alterations including the placement of a number of gabions along the front boundary of the site and three small trees. The proposal site has a further outdoor seating area which already exists to the North of the existing which is approximately 1.5 metres lower than the main floor of the existing building.

The proposal site can be accessed by vehicles from Banks Road along the East side of the site. This vehicle entrance slopes to the rear of the site and leads to a significantly large space which can be used for car parking behind and under the building. It is approximated that at least 15 cars could comfortably park in the rear of the site. The highway adjacent to the proposal site has no single or double yellow line restrictions.

POLICY CONTEXT

The application shall be assessed under UDP Policy HS15: Non-Residential Uses in Primarily Residential Areas, PO3 Noise, and Supplementary Planning Document SPD3: Hot Food Takeaways, Restaurants, and Cafes & Drinking Establishments and the National Planning Policy Framework

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

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

Policy PO3 states; Development will only be permitted where noise arising from the proposal will not cause unacceptable intrusion or persistent nuisance. The Local Planning Authority will have particular regard to;

- (i) the location of the proposal in relation to noise-sensitive development or land uses;
- (ii) the existing overall level of background noise within the locality
- (iii) the level, tone, duration and regularity of noise likely to be emitted by the proposal, including any subsequent increase that may be expected in the foreseeable future; and
- (iv) the provisions made within the proposals for the mitigation or insulation of noise.

Where anticipated noise levels are considered to be within manageable proportions, the Local Planning Authority may seek to use conditions relating to the siting, screening or enclosure of noise sources' the limitation of operating times, especially outside of normal working hours, including other measures designed to reduce noise levels at source.

SPD3 makes it clear that proposals for restaurants/drinking establishments will directed to existing centres and the main objectives of local planning policy, in line with national and regional policy is to ensure that development takes place with a minimal impact on local amenity and on the character of the area and that it will not cause nuisance to neighbouring uses.

SPD3 paragraph 3.3 notes that the degree of subjectivity involved when assessing the potential impact from noise and disturbance on the neighbours' amenity has been questioned through planning application in the past. To address this, The Council resolved that the following measure would be applied in the assessment of future planning applications:

- (i) All proposed uses within Use Classes A3, A4 and A5 i.e. restaurants, cafes, drinking establishments and hot food takeaways should be at least 40 metres away from the main elevation of a dwelling house or a building used solely for self-contained flats, when measured along the public highway.

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. It is a core principle that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants.

APPEARANCE AND AMENITY ISSUES

As the application is retrospective and seeking to retention of existing development to the site including a new front decking area, landscaping and window and door amendments.

The landscaping alterations being considered to the front of the building include a row of gabions along the front boundary of the proposal site along Banks Road and the placement of three small trees in front of the new decking area. The trees have been planted on a similar level to the proposed decking and have artificial grass covering the ground soil. A new red brick retaining wall has also been constructed but this is not visible from the street scene due to the neighbouring sites existing timber fence panels which abut the new retaining wall.

The existing front decking projects approximately 4.8 metres from the front elevation of the building and spans 12.0 metres. The decking floor level is approximately 1.8 metres above the natural ground level of Banks Road. The front decking has a glass balustrade that surrounds the entire decking which adds another 1.1 metre of height from the floor level of the decking. The front elevation doors and windows as proposed are considered acceptable and are not anticipated to cause any significantly increased nuisance to neighbouring uses that what previously existed on the front elevation of the building.

When considering the proposals to the front elevation of the building, the development is not thought to be of such a scale as to be inappropriate to surrounding development in terms of its physical appearance. The new decking area and landscaping features such as gabions and trees along the front boundary add interest to the site and use high quality materials. The decked area to the front of the site is not considered to cause significant overlooking of neighbouring property. The proposed

works that have already occurred to the East (front) elevation of the building are not considered to have any negative visual impact on the character of the area and have made a positive improvement to the visual aesthetic of the building and site.

The normal requirement for a 40 metre separation between existing dwellings set out in SPD3 (paragraph 3.3) the front decking is not achieved.. The main front entrance serving the flats to the North of the site (The Hydro) are approximately 30 metres from the front decking. The dwellings opposite the highway are approximately 20 metres from the front decking. The flats to the South of the site are mainly accessed via Hible Court, not Banks Road and therefore comply with the 40 metre rule.

While the front decking does not meet SPD3 guidance in regard to the 40 metre rule, weight can be given to the fact that the previous front landscaping area on the site was used for temporary outdoor seating, albeit on a lower land level. The front decking area now under being consideration has the potential to cause amenity issues particularly during the quiet hours in the evening when ambient noise levels from traffic and other activities are generally lower than during the day. Given the site is located on a road leading directly to the West Kirby Town Centre, it is considered on balance having regard to the requirement to protect the amenity of those living in neighbouring residential properties, that a condition to control the hours when the external decking area use can be used could be reasonably applied .

It is considered reasonable and necessary to ensure the decked area to the front of the building could only be used for eating and drinking between the hours of 9:00am to 19:00pm Monday to Sunday and no music was played at any time outside the premises in the interest of protecting neighbouring amenity to accord with HS15.

The proposed South (side) elevation bi-folding door section serves the main floor of the building are currently clearly glazed. This side elevation bi-folding door sections faces the neighbouring flats to the north of the site. The neighbouring building to the North of the site forms an 'L' shape which means a number of the flat occupiers habitable windows look side onto the proposed side window.

The neighbouring flat windows that directly face the new side bi-folding doors are approximately 19 metres away from the bi-folding doors which are in situ. Normally the Local Planning Authority would expect habitable window to habitable window to be at least 21 metres apart. This guidance specifically relates to residential development and the use of the proposal site is considered more intensive than a residential use and the bi-folding doors allow clear views into neighbouring flats habitable windows. Given the above, the bi-folding doors to the side elevation are considered to harm neighbouring flats amenity in regard to privacy. The Local Planning Authority can therefore reasonably seek to apply a condition to require the bi-folding doors on the South (side) elevation to be obscurely glazed and non-opening up to a height of 1.7 metres from the internal floor level. This condition regarding the bi-folding section will ensure not only neighbouring privacy is maintained, but will remove or significantly restrict possible sound outbreak from the internal building.

It has been taken into account that directly outside the side elevation bi-folding door section is a seating area that is approximately 1.5 metres lower than the internal main floor level of the building. While it is possible for users of the establishment to currently sit in this area and drink and eat, the land level difference is significantly lower than the bi-folding door section, and therefore this decking area has a significantly less impact on neighbouring amenity in regard to privacy. The bi-folding doors on the South (side) elevation have no impact on the character of the building and area as the existing building has a number of side facing windows which are obscurely glazed.

For the reasons stated above the proposed development is thought to be appropriate to the existing building and surrounding development, and will not result in a detrimental change to the character of the area. Subject compliance with a condition to control outdoor activities, the development is not anticipated to cause any increased nuisance to neighbouring uses in regard to noise, disturbance, on-street parking and delivery's by vehicles. The proposal would therefore be considered too

compliant with HS15, PO3, PO4, SPD3, NPPF, and is therefore recommended for approval.

Other matters:

The application received a total of 25 objections and 9 letters of support.

A number of objections raised concerns that the decking and side bi-folding doors would result in overlooking of neighbouring properties. For the reasons previously stated above, the entire development is not thought to cause any significant increase in overlooking than what already exists at the site. In regard to the side elevation bi-folding door section, the Local Authority will seek to condition obscure glazing. It is therefore considered that the privacy of neighbouring uses will not be significantly impacted by the development.

A number of objections stated the development has and will result in significant noise disturbance. The building is an existing pub and therefore a certain level of disturbance is expected within reason at the site. As previously stated, the front of the site could previously be used as an outdoor seating area and it is not thought that the proposed front decking will significantly increase disturbance or noise at the site. In the interest of protecting neighbouring amenity in regard to noise and disturbance the Local Authority will seek to condition the hours of use of the front decking area. The side elevation bi-folding doors will be conditioned to be obscurely glazed and non-opening, which will significantly reduce any potential noise spill from the use of the building. If significant disturbance were to occur in future at the proposal site the Local Authority Environmental Health Department would have statutory powers to remedy any possible disturbance.

In regard to the side elevation bi-folding doors, a large external seating area already exists in this location and therefore the bi-folding door section is not anticipated to cause any increased disturbance than what already exists at the site. The Local Authorities Environmental Health Department have made no objection to the proposed development and it is therefore considered the development will not harm neighbouring amenities in regard to noise and disturbance. If significant disturbance were to occur in future at the proposal site the Local Authority Environmental Health Department would have statutory powers to remedy any possible disturbance.

A number of objections focused on the appearance of the development. The development is however considered to make a positive contribution to the character of the existing building and wider area.

One objection stated that during the summer the double doors on the front elevation will be open which will increase noise to local residents. As previously stated, the existing building had two separate entrances/exits on the front elevation and the relocated doorway to the proposed raised decking area is not thought to significantly increase disturbance to neighbouring uses.

A number of objections stated that the development will and has resulted in significant light pollution. The Local Authority's Environmental Health Department has made no objection to the proposed development and therefore the development is not thought to cause disturbance to neighbouring uses. Again, the Local Authority's Environmental Health Department have statutory powers to remedy possible issues in regard to excessive light pollution.

A number of objections stated the development will result in increased parking issues along Banks Road. The proposal site has a number of off road parking spaces at the rear of the site, and there are no significant restrictions on parking on the highway along Banks Road. The Local Highway Authority's has made no objection to the proposal and it is therefore considered that this specific development is unlikely to result in any significant highway safety or congestion issues.

One objection stated that the proposed development should be considered under the Human Rights Act. The Human Rights Act 1998 incorporated provisions of the European Convention on Human Rights (ECHR) into UK law. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society. It sets out the basic rights of every person together with the limitations placed on these rights in order to protect the rights of others and of the wider community. The specific Articles of the ECHR relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination)

and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property). The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the Local Authority to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed. In carrying out this balancing exercise the Local Authority will of course wish to be satisfied that it has acted proportionately. In this instance the development is thought to comply with the relevant local and national planning policy documents and guidance and is therefore not assumed to contravene The Human Rights Act 1998.

A number of objections state that the development has ignored the local community and planning restrictions. The site is listed as an Asset of Community Value and has a use class of A4 (drinking establishment). The Council has received enforcement complaints that the site is no longer a pub(A4) and have allegedly changed use to a restaurant (A3 use class) which would have required planning permission. There has, however, been a change in planning legislation which enables a A4 drinking establishment that is Asset of Community Value to operate as mixed use with expanded food provision (Use Class A3) without a formal planning application to the Local Planning Authority (SI 2017 No. 619 refers). The possible change of use of the site is an on-going enforcement investigation, which is currently in the process of establishing if a material change of use, which comes under the jurisdiction of the Local Planning Authority, has occurred. In regard to this current application objections relating to the alleged change of use are not considered to form material considerations that warrant refusal as the developer is seeking retrospective permission for the external works on the site rather than a change of use.

One objection stated that previously the internal use of the building along the side closest to the Hydro flats was used as a store and the new internal layout will increase disturbance to residents on this side. The developer could have previously changed the internal layout of the building significantly without planning permission and it is considered the development, and conditions being imposed will ensure neighbouring amenity in regard to noise and disturbance will not be significantly harmed as a result of the development.

One objection stated that the development should have been removed then the developer should have applied for permission. The Local Authority in this instance would ask a developer to submit a retrospective application or remove any unauthorised development. In this instance the developer has submitted retrospective applications for the Local Authorities consideration.

One objection stated that the development has increased littering. As the building is an existing pub, it is not thought this specific concern has significant weight in this particular instance.

One objection stated that they did not receive a notification. The Local Authority placed a site notices outside the site and sent out 26 notification letters to neighbouring sites in accordance with the Local Authorities Publicity For Applications guidance.

One objection stated the site notice displayed was not updated after the description change. The description of the development was updated and an amended site notice was displayed at the site.

One objection stated that the boundary crosses land owned by 'Hilbre Court Management Ltd'. Certificate B was signed by the developer which indicates they have notified all the relevant land owners and interested parties. Land ownership issues are rarely material consideration to the determination of planning applications.

One objection stated that the steps on the existing plans did not exist. The Local Authority has assessed the information provided by the developer in coming to its recommendation in regard to the

acceptability of the retrospective application.

One objection stated the plans should include a side facing patio door. This was originally not submitted by the developer but was later added to the description and plans. After this amendment was received, all the statutory consultees and neighbours were re-notified to the change.

One objection stated that an existing tree had been omitted by the plans, and it should be retained to block light. The site is not under a Tree Preservation Order or within a Conservation Area so any trees on the site could currently be removed without permission.

One objection stated that rules of a covenant are being ignored. Covenants are civil matters and not material to planning applications.

The letters of support received by the Local Authority stated that the development significantly improved the building and that previously customers would stand outside long after closing time causing significant noise which no longer occurs. A number of the letter of support stated that the development will have a positive impact on West Kirby as a whole and bring business and interest to the area.

HIGHWAYS

There are no highways objections.

ENVIRONMENTAL HEALTH

There are no environmental health objections.

CONCLUSION

The development 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 subject to compliance with a condition for obscure glazing and to control the hours when the external balcony can be utilised. The proposal is considered acceptable under with provisions of Policy HS15 of the adopted Wirral Unitary Development Plan, Supplementary Planning Document SPD3: Hot Food Takeaways, Restaurants, Cafes & Drinking Establishments 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 development 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 subject to compliance with a condition for obscure glazing and to control the hours when the external balcony can be utilised. The proposal complies with the provisions of Policy HS15 & PO3 of the adopted Wirral Unitary Development Plan, Supplementary Planning Document SPD3: Hot Food Takeaways, Restaurants, Cafes & Drinking Establishments and the guidance in the National Planning Policy Framework.

Recommended Approve
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 approved

plans received by the local planning authority on 16/11/17 and listed as follows: Drawing No. PL-01 Rev:A, PL-02 Rev:C, 01 Rev:X, 02 Rev:X.

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

3. Within 2 months of the date of this decision notice; the window(s) hereby permitted on the South (side) elevation shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7m above the internal floor level of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with Policy HS15 of the Wirral Unitary Development Plan.

4. The external 'Decked veranda' as shown on Drawing No: PL-01 Rev:A shall not be used by customers (except for egress) between the hours of 19:00 to 9:00 Monday to Sunday.

Reason: To protect residential amenity, in accordance with Policies HS15 and PO3 of the Wirral Unitary Development Plan.

5. No amplified sound, voice or any music shall be played in external areas at any time.

Reason: To protect residential amenity, in accordance with Policies HS15 and PO3 of the Wirral Unitary Development Plan.

Further Notes for Committee:

1. A site inspection is required for the highway adjacent to the development to determine if any consequential damage has occurred - any damage to the existing highway as a result of the development would require reinstatement, at the developer's expense, to the LA specification and written approval. For further details contact Highway Management area manger via www.wirral.gov.uk.

Last Comments By: 07/12/2017 15:22:09
Expiry Date: 25/10/2017

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Planning Committee

18 January 2018

Reference:
APP/17/01186

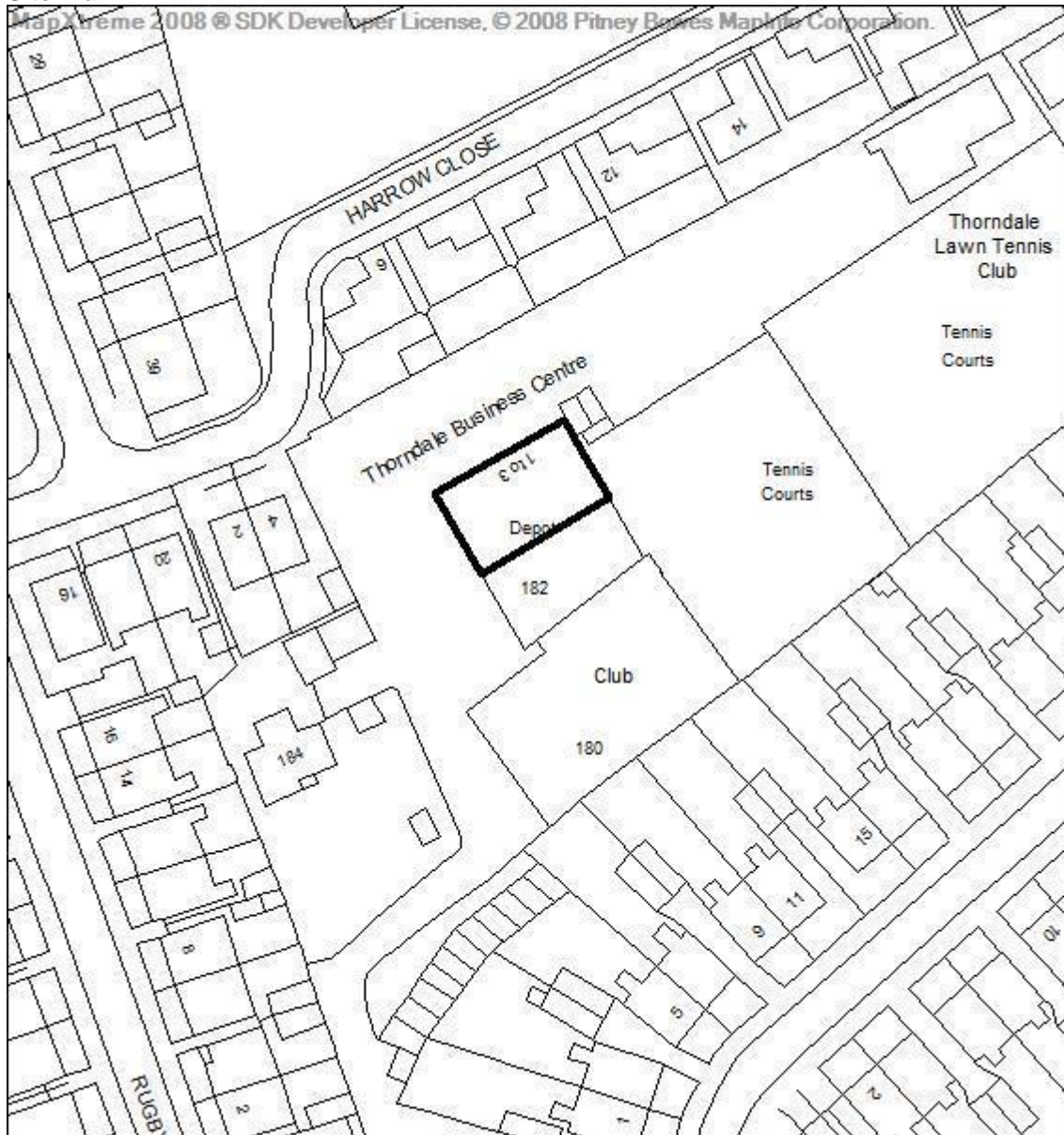
Area Team:
North Team

Case Officer:
Miss A McDougall

Ward:
Wallasey

Location: Thorndale Business Centre, 182 WALLASEY ROAD, LISCARD, CH44 2AG
Proposal: Installation of four new access doors
Applicant: Mr McIver

Site Plan:



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Development Plan Designation:
Primarily Residential Area

Planning History:

Location: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD,
CH44 2AG
Application Type: Full Planning Permission
Proposal: Demolition of existing building and erection of a 3 storey building
accommodating 4 apartments
Application No: APP/15/00404
Decision Date: 10/08/2015
Decision Type: Withdrawn

Location: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD,
CH44 2AG
Application Type: Prior Approval Commercial PD
Proposal: Notification for Prior approval for a change of use from storage or distribution
buildings (class B8) and any land within its curtilage to 6 flats (class C3)
Application No: COMX/15/01470
Decision Date: 18/12/2015
Decision Type: Prior Approval Refused

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 13 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 1 objection and a Qualifying petition of objection has been received, listing the following grounds:

1. noise
2. increase in traffic
3. access
4. restricted parking
5. Objections were raised on parts of the development that will not form part of this application such as raising of the roof and new windows

CONSULTATIONS:

Highways - No Objections
Environmental Protection - No Objections

DIRECTORS COMMENTS:

Deferred for Committee Members Site Visit.

REASON FOR REFERRAL

A petition of objection has been received containing 122 signatures due to access and parking restrictions.

INTRODUCTION

The proposal is for alterations to the north elevation of the existing industrial unit, which includes the installation of four new doors.

PRINCIPLE OF DEVELOPMENT

Small scale non-residential development is only permitted subject to compliance with UDP Policy HS15.

SITE AND SURROUNDINGS

The building is a brick built industrial unit located within Thorndale Business Park which is accessed off Wallasey Road. The site is within the Primarily Residential Area but forms part of a commercial development that includes a number of business uses including Thorndale Lawn Tennis courts to the north east.

POLICY CONTEXT

HS15 Non-Residential Uses in Primarily Residential Areas Policy

Within the Primarily Residential Areas as defined on the Proposals Map, proposals for small-scale built development and changes of use for non-residential uses will only be permitted where the

proposal will not:

- (i) be of such scale as to be inappropriate to surrounding development;
- (ii) result in a detrimental change in the character of the area; and,
- (iii) cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on-street parking and deliveries by vehicle.

Proposals should make adequate provision for off-street car parking standards and servicing requirements.

EM12 Employment Development in Primarily Residential Areas Policy

Within the Primarily Residential Area, development proposals involving the use, storage, manufacture or processing of notifiable hazardous substances, or other inappropriate development likely to result in a detrimental change in the character of the area, will not be permitted.

APPEARANCE AND AMENITY ISSUES

The proposal is for the installation of four additional roller shutter access doors into the existing building, the alterations affect the north facing elevation of the existing industrial building.

In terms of Policy HS15, the building is established, the use will remain the same, the alterations to the elevation will have a minimal impact onto the amenity of the surrounding residential properties.

With regards to Policy EM12, the access to the site and the use of the building will remain the same, the application does not proposed changes to the existing use of the building and the installation of four new doors has a minimal impact in terms of the visual appearance of the building or the continued use of the site which is an established use.

Objections have been received with regards to noise, increased traffic ,parking and highway access, the site is accessed via an existing road way with a right of way across the land to gain entry into the building, the applicant has provided a copy of the land registry document pertaining to the right of way. The way in which parking and the use of the land is managed is between the owner and the uses that have right of way which is a civil matter and would not have any bearing onto the determination of planning permission.

Objections have also been raised with regards to the raising of the roof and new windows however this is not part of the planning application as the plans have been superceded and the development proposed only relates to the installation of four new doors. The four proposed doors are not considered to result in any further harm to residential amenity given the established use of the building.

SEPARATION DISTANCES

Separation distances do not apply in this instance.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The alteration to the north elevation of the existing industrial building is considered to be acceptable in terms of appearance and overall impact onto the wider character of the area having regard to Wirral's UDP Policies HS15 and EM12.

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 alteration to the north elevation of the existing industrial building is considered to be acceptable in terms of appearance and overall impact onto the wider character of the area having regard to Wirral's UDP Policies HS15 and EM12.

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 11 October 2017 and listed as follows: PPSD NORTH FACE Rev B & PPSD Plan View Rev B.

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

3. The four new access doors hereby approved shall not be used and shall remain closed between the hours 20.00 hours and 08.00 hours Monday to Sunday.

Reason: In the interest of amenity having regards to policy HS15 of Wirral's Unitary Development Plan

Last Comments By: 14/11/2017 14:56:01
Expiry Date: 06/12/2017

Planning Committee

18 January 2018

Reference:
APP/17/01222

Area Team:
North Team

Case Officer:
Mr N Williams

Ward:
Hoylake and Meols

Location: Ashton Court, BANKS ROAD, WEST KIRBY, Wirral CH48 0RJ
Proposal: Demolition of existing buildings and erection of 14 No. new build residential properties

Applicant: Starfish Commercial Ltd
Agent : NJL Consulting

Site Plan:



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Development Plan Designation:

Primarily Residential Area

Planning History:

Location: Ashton Court, BANKS ROAD, WEST KIRBY CH48 0RJ
Application Type: Full Planning Permission
Proposal: Demolition of existing buildings and erection of 14 No. new-build residential properties
Application No: APP/16/00823
Decision Date: 11/11/2016

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Councillor Gerry Ellis requested that the application be taken out of delegation on the grounds that the site is too small for 14 dwellings; parking and traffic problems in the area would be unacceptable increased; and privacy and overlooking of some of the adjacent properties would be unacceptable.

Having regard to the Council's Guidance for Publicity on Planning Applications, 102 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been two petitions of objection received containing 900 and 73 signatures, together with 25 individual objections. The objections can be summarised as:

- Application is the same as previous refusal;
- Overlooking and loss of privacy;
- Parking and traffic issues;
- Overbearing impact;
- Development will spoil the character of the area;
- Loss of light;
- Overdevelopment of the site;
- Increase in noise;
- Loss of gardens and green space;
- Loss of view;
- Existing buildings should be retained;
- Proposed buildings are unsightly;

CONSULTATIONS

Head of Environment & Regulation (Pollution Control Division) - No objection

Head of Environment & Regulation (Traffic and Transportation Division) - No objection

DIRECTORS COMMENTS:

REASON FOR REFERRAL

Councillor Gerry Ellis requested that the application be taken out of delegation on the grounds that the site is too small for 14 dwellings; parking and traffic problems in the area would be unacceptable increased; and privacy and overlooking of some of the adjacent properties would be unacceptable.

In addition, two qualifying petitions of objection have been received.

INTRODUCTION

The application is for the demolition of the existing buildings at Ashton Court and the erection of 14 new-build residential properties.

The proposal consists of 13 No. three-storey dwellings fronting onto Banks Road, either side of its junction with Ashton Drive, with an additional two-storey detached dwelling set within the southern site (to the rear of 4 - 8 Ashton Drive).

The application is a resubmission of a previous application (APP/16/00823) which was refused for the following reasons:

- Notwithstanding the principle of residential development within the Primarily Residential Area, the development proposed, and notably Plots 7 & 8, by reason of scale, siting, design and the relationship with neighbouring properties, would result in an unneighbourly form of development that would appear overbearing and result in a loss of privacy for occupants of neighbouring properties, particularly 3 and 4 Ashton Drive. The development is therefore contrary to Policy HS4 (New Housing Development) of the Wirral Unitary Development Plan and the principles of

the National Planning Policy Framework

- The proposed development, by reason of the siting and layout of Plot 14 at the south east end of the site, and having regards to the restricted and enclosed nature of this part of the site, together with its relationship with the adjacent sub-station, would result in a cramped form of development that also fails to provide a well surveilled environment that would be to the detriment of the safety and amenities of the occupiers of this property. The development is therefore contrary to Policy HS4 (New Housing Development) of the Wirral Unitary Development Plan and the principles for good design required by the National Planning Policy Framework

A subsequent appeal was dismissed by the Planning Inspectorate. However, in consideration of the reasons for refusal, the Inspector considered that the proposed development was actually acceptable, and the appeal was dismissed on the grounds that the appellant had not provided a way to satisfactorily secure the affordable housing provision. Whilst a Section 106 Agreement would have been signed had the original application been approved, the Inspector was of the opinion that an executed Agreement should have been submitted with the appeal. As it wasn't, the appeal was dismissed. Therefore, due to the Planning Inspector's report this current scheme is identical to the previous application, besides the affordable housing provision.

SITE AND SURROUNDINGS

The application site covers two areas of land on either side of Ashton Drive at its junction with Banks Road. On both sites there is currently a vacant, two-storey building which were previously used for 22 residential units and named Ashton Court. These buildings take up most of each site, with small areas of landscaping/grass to the front and rear of each, with the southern complex having an extra area of amenity space extending to the rear of properties on Ashton Drive.

The site is designated in the Wirral Unitary Development Plan as being in a Primarily Residential Area, with Ashton Drive containing traditional two-storey, semi-detached dwellings and other residential uses directly to the north of the site. However, the application site also fronts onto Banks Road, much of which is within the Key Town Centre of West Kirby (including the properties directly to the south of the site and on the opposite side of Banks Road) and as such there are numerous commercial properties within the immediate area, and this means that the character of the surrounding area is fairly varied.

POLICY CONTEXT

The proposal is subject to Wirral Unitary Development Plan Policy HS4: Criteria for New Housing Development, which sets out criteria for new residential schemes, Policy GR5: Landscaping and New Development, Policy TR9, and Policies WM8 and WM9 in the Waste Local Plan.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. There is a presumption in favour of sustainable development which should be approved without delay unless the adverse impacts of doing so outweigh the benefits. NPPF part 7 makes it clear that good design is a key aspect of sustainable development and that poor design which fails to take opportunities for improving the character and quality of the area should be refused.

There is a requirement for 20% affordable housing provision for this scheme. The applicant had previously agreed to this in the form of on-site provision, with 3 of the proposed units to be used for affordable housing. Had the previous planning application been approved then this would have been secured through a Section 106 Agreement. However, the application was refused and the applicant did not submit a legal agreement with the subsequent appeal and the appeal therefore failed on this basis.

For this current application, the applicant has now applied the Vacant Building Credit (VBC) to the site. The VBC is national policy which provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is to be demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of the vacant buildings when calculating any affordable housing contributions to be sought. The applicant has indicated that the 22 existing units on the site were small, bedsit type units with shared bathrooms which were not considered fit for purpose and which were therefore hard to let. Given

these problems with the existing buildings, it is therefore considered that the site has not been made vacant for the sole purposes of redevelopment. Affordable housing will therefore only be required for any increase in floorspace.

In this instance, the existing buildings (to be demolished) have a total floorspace of approximately 1,265 square metres. The total floorspace of the proposed development is 1,355.88 square metres, which equates to an increase of 90.88 square metres, or a 7% increase on the existing floorspace. On this basis, it is proposed that a commuted sum of £9,291 will be provided towards affordable housing. This figure is considered to be acceptable and this commuted sum will therefore be secured through a Section 106 Agreement.

APPEARANCE AND AMENITY ISSUES

Previously Refused Application and Dismissed Appeal

Following the refusal of the previous application (APP/16/00823), a subsequent appeal was dismissed. However, the appeal was only dismissed on the basis that the appellant had not submitted a Unilateral Undertaking or an executed Section 106 Agreement to secure the provision of affordable housing. The Planning Inspector concluded that "the proposed development would not harm the living conditions of nearby residents and would provide adequate living conditions for the future occupiers of plot 14, but this does not outweigh the adverse effect that would be caused by not making adequate provision for affordable housing."

On the basis of the Planning Inspector's report, it is therefore considered that the proposed development would not result in an unneighbourly form of development that would appear overbearing and result in a loss of privacy for occupants of neighbouring properties, particularly 3 and 4 Ashton Drive. Additionally, it is considered that Plot 14 would provide adequate living conditions with regards to outlook and security. The application could not, therefore, be refused for the reasons set out previously. Regardless of this, this report includes the assessment of the original application, which is still relevant to the case.

Plots 1 - 13

Although part of the existing buildings come within 5m of the front boundary, the majority of the buildings are set back from Banks Road by approximately 10m. However, this is generally at odds with most of Banks Road, where buildings often project right up to the back of the pavement. This is the case both opposite the site and directly to the south of the site. The proposed development will therefore be in keeping with this, with each new dwelling being only slightly set-back from the back of the pavement and a small landscaping area for the two dwellings either side of the Ashton Drive junction. Given the prevalence of buildings set right up to the back of the Banks Road pavement, the proposed development will not be out of keeping with the area nor will it have an adverse impact upon the character of the area or the general pattern of development throughout Banks Road.

There is great variety in terms of the scale of buildings along Banks Road, including a number of three-storey buildings and a four-storey residential block further north of the application site. It is therefore considered that three-storey dwellings will not appear out of scale on the street scene and will be generally in keeping with this aspect of the character of the surrounding area.

Similarly, there is a great variety in the design of buildings throughout the area, and the proposed scheme will add to this variety. The proposed dwellings utilise front-facing gables, contrasting brickwork, large vertical windows and both full and juliet balconies to enliven the elevations fronting Banks Road and this will help to ensure that they add positively to the character and appearance of the street scene.

The footprint of the 13 proposed dwellings fronting the site takes up less than the existing buildings, and even when including the proposed Plot 14 to the rear of the site, there would still likely be no increase in building footprint. There will, however, be a marginal increase in floorspace due to most of the dwellings being three-storey, compared to the two-storey Ashton Court. However, combined with the reduction in the number of units on the site, the reduction in built footprint will help to ensure that the proposal does not constitute an overdevelopment of the site. Each dwelling has a private amenity area and although not substantial in size, this is considered to be acceptable given the constraints of the site.

In terms of Ashton Drive, whilst the proposed dwellings will be taller than the existing buildings of Ashton Court, they will also be set further away from the properties of Ashton Drive and this will lessen the impact of the increased height. Although the proposed dwellings will be visible on Ashton Drive, given that they are close to (and face) Banks Road, which is a Key Town Centre, it is not considered that taller buildings in this location would have a particularly negative impact upon the character of Ashton Drive. The proposed dwellings on the corners also address both Banks Road and Ashton Drive to prevent presenting a blank elevation to either street scene.

The rear windows of all new properties will be a minimum distance of 14 metres from the rear boundary of the site, which is a shared boundary with the rear gardens of 3 and 4 Ashton Drive. This distance is considered sufficient to ensure that there will be no unacceptable levels of overlooking. The existing buildings are within 6/7 metres of this boundary so, although taller, the proposed development may result in an improvement for neighbouring properties.

The two proposed dwellings either side of the junction (Plots 6 - 9) will have large balcony areas to the rear. These properties (and balconies) will face the side elevations of 3 and 4 Ashton Drive and their open front garden areas, and it is therefore considered that the proposed balconies are unlikely to result in an unacceptable loss of privacy to the private amenity areas of these neighbouring properties.

In assessing the appeal, the Planning Inspector came to the conclusion that the proposed development would not have an adverse impact upon the amenities of neighbouring properties. The Inspector stated "therefore, I consider that the proposed development would not significantly affect the living conditions of the occupiers of Nos 3 and 4 Ashton Drive with particular regard to outlook and privacy."

Plot 14

Plot 14 is a proposed two-storey dwelling house located in the southern part of the application site and will be located to the rear of 4 - 8 Ashton Drive. The blank, side elevation of the proposed dwelling will be a distance of 14 metres from the main rear elevation of these properties, which complies with the required separation distances. 6 Ashton Drive does have a single-storey extension which projects closer to the proposed dwelling, but this will not be directly opposite the new dwelling and does not appear to be an original structure and therefore any impact upon this is not considered sufficient to warrant refusal of the application. To the other side of the proposed dwelling is a number of single-storey garages and a large area of hardstanding, and the proposal will therefore not have a negative impact here.

The first-floor rear windows of Plot 14 will be less than 8 metres away from the rear boundary, which is shared with the private garden area of 10 Ashton Drive. These proposed windows serve bedrooms which also have windows on the front elevation, and therefore a condition attached to obscurely glaze them in order to protect the amenities of the neighbouring property will not impact upon the future use of the proposed rooms.

When assessing this aspect of the proposal, the Planning Inspector stated "consequently, I consider that the proposed development would provide adequate living conditions for the future occupiers of plot 14 with particular regard to outlook and security. Thus it would not be contrary to Policy HS4 of the Wirral Unitary Development Plan which, amongst other things, requires that new housing development creates a secure environment and has adequate space for each dwelling."

SEPARATION DISTANCES

Almost all separation distances are complied with. There are some residential properties above commercial units across Banks Road which will be within approximately 20m of the proposed dwellings. However, whilst this is marginally less than the usual requirement, these properties are flats above commercial units within a Key Town Centre and this, together with this distance being consistent with many along Banks Road, means that this very minor discrepancy is considered to be acceptable.

HIGHWAY/TRAFFIC IMPLICATIONS

The scheme proposes one off-street parking space per unit, which is an improvement on the current

layout where there appears to be no dedicated off-street parking spaces for 22 units.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

In conclusion, it is considered that the Planning Inspectors report has established that the proposed development will not harm the amenities of neighbouring properties, and will also provide acceptable living conditions for future occupiers. It is also considered that the proposal will not harm the character of the area and the proposal therefore complies with Wirral Unitary Development Plan Policy HS4 and GR5 and 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 proposed development will not have an unacceptable adverse impact upon the character of the area or the amenities of neighbouring properties, and the proposal therefore complies with the Wirral Unitary Development Plan Policies HS4, GR5, TR9 and the National Planning Policy Framework.

Recommended Decision: **Approve subject to Section 106 Agreement**

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 9th October 2017 and listed as follows: EX03 Revision C; GA10 Revision A; GA11 Revision B; GA12 Revision B; GA13 Revision A; GA14 Revision A; GA21; GA22; GA23

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

3. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

4. The development hereby permitted by this planning permission shall be carried out in accordance with the principles and details specified in the following approved submissions - Sustainable Surface Water Drainage Strategy (Nov 2017/ Ref: 13375-5025-DIA-02/ Rev 02 / Met Engineers Ltd).

Reason: To ensure a satisfactory sustainable surface water drainage system is provided to serve the site in accordance with UDP Policy WA2, Paragraph 103 of the National Planning Policy Framework, HCWS 161 House of Commons Written Statement on Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

5. No development shall commence until the confirmed **full and final design** for a surface water sustainable drainage system to serve the site and method of implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the surface water sustainable drainage system shall be managed and maintained in accordance with the approved maintenance and inspection schedule.

Reason: To ensure a satisfactory sustainable surface water drainage system is provided to serve the site in accordance with UDP Policy WA2, Paragraph 103 of the National Planning Policy Framework, HCWS 161 House of Commons Written Statement on Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

6. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to the Local Planning Authority, in conjunction with the Lead Local Flood Authority, via the means of an appropriate legal agreement.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory management and maintenance of the approved surface water drainage facilities is provided for the site for the lifetime of the development in accordance with UDP Policy WA2, National Planning Policy Framework Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

7. The hard and soft landscaping scheme hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to comply with Policy GR5 of the Wirral Unitary Development Plan.

8. Prior to commencement of development, full details of all proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation.

Reason: For the avoidance of doubt

9. The first-floor rear windows in the dwelling shown as Plot 14 shall be obscurely glazed and non-opening up to a height of 1.7m above finished floor level and retained as such thereafter

Reason: To protect the amenities of the neighbouring property

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

11. NO DEVELOPMENT SHALL TAKE PLACE until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

12. PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan.

Further Notes for Committee:

Last Comments By: 09/11/2017 09:35:08

Expiry Date: 08/01/2018

Planning Committee

18 January 2018

Reference:
APP/17/01263

Area Team:
North Team

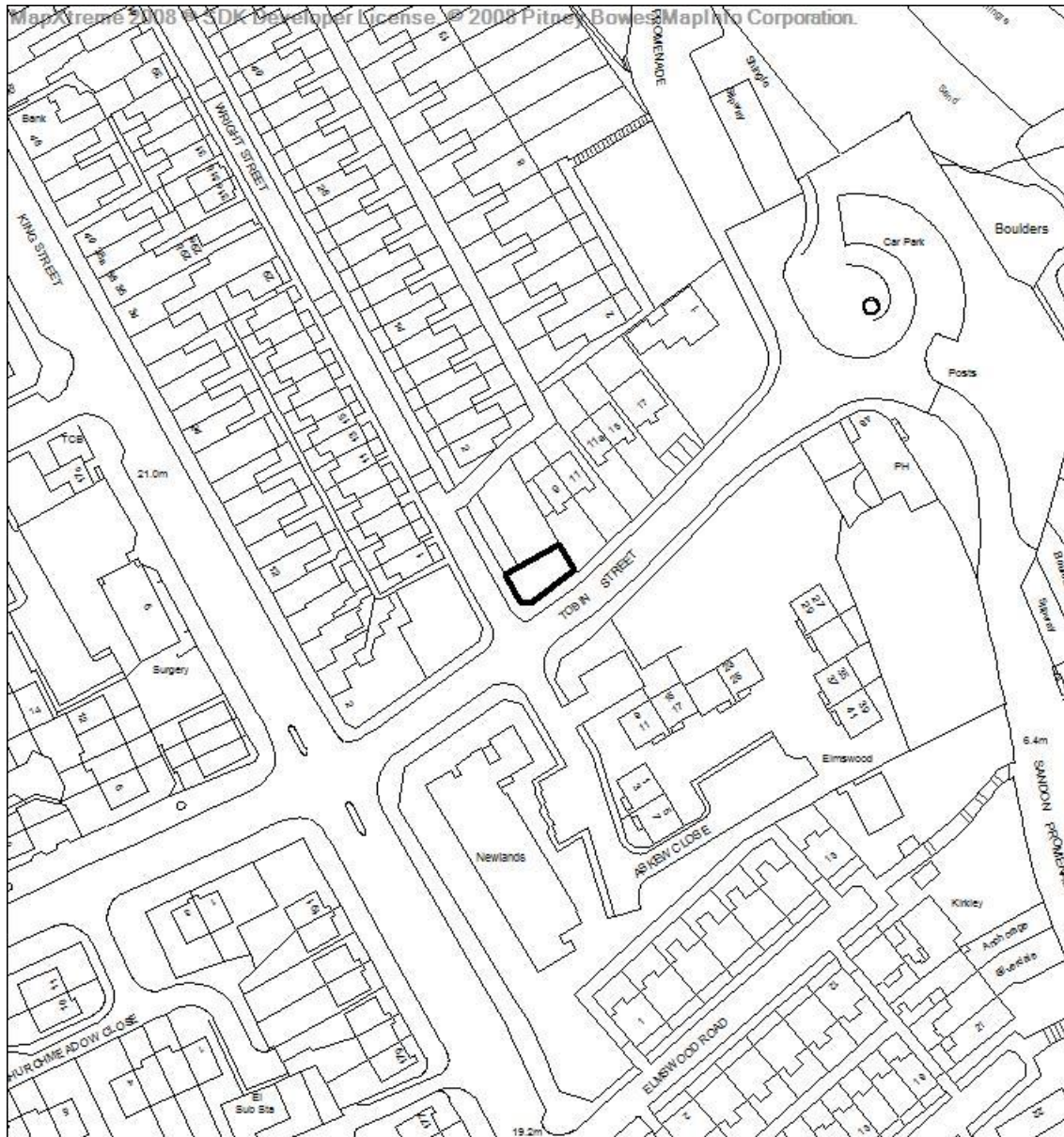
Case Officer:
Mr K Spilsbury

Ward:
Liscard

Location: 3-5 TOBIN STREET, EGREMONT, CH44 8DF
Proposal: Installation of 3no additional windows to the north east side elevation of the building (amended design).

Applicant: Mr S Ward
Agent : D.J. Cooke & Co Ltd

Site Plan:



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Development Plan Designation:

Primarily Residential Area

Planning History:

Location: 3- 5 TOBIN STREET, EGREMONT, CH44 8DF
Application Type: Full Planning Permission
Proposal: Conversion (change of use) of former printing works offices into three self contained flats, formation of communal yard area and minor alterations to existing workshop.

Application No: APP/14/01091
Decision Date: 16/10/2014
Decision Type: Approve

Location: 3-5 TOBIN STREET, EGREMONT, CH44 8DF
Application Type: Full Planning Permission
Proposal: Alterations to convert the basement into a self contained flat
Application No: APP/15/00495
Decision Date: 24/06/2015
Decision Type: Approve

Location: 3-5 TOBIN STREET, EGREMONT, CH44 8DF
Application Type: Outline Planning Permission
Proposal: Conversion (change of use) of former printing works offices into three dwellings, demolition of existing workshop and erection of a pair of semi detached houses.
Application No: OUT/14/00820
Decision Date: 18/08/2014
Decision Type: Withdrawn

Summary Of Representations and Consultations Received:**REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications, 53 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 3 objections have been received from neighbouring properties. The objections are summarised as follows:

1. Invasion of privacy/overlooking
2. Mess during construction
3. Health and safety issues relating to cleaning and maintenance
4. Impact upon the value of adjacent homes

The application has been taken out of delegation by Cllr Williamson on the following grounds: written and verbal representations from a number of residents from Tobin Street who are concerned that the installation of windows, as proposed in the application, would completely destroy their privacy as they would be overlooked in their front gardens

CONSULTATIONS:

Engineers Department - No objections

Environmental Health – No objections

DIRECTORS COMMENTS:**REASON FOR REFERRAL**

Councillor Williamson has requested the application be taken out of delegation and heard at planning committee as she has received written and verbal representations from a number of residents from Tobin Street who are concerned that the installation of windows, as proposed in the application, would completely destroy their privacy as they would be overlooked in their front gardens

INTRODUCTION

The proposed development is for the installation 3 additional windows to the north east side elevation of the building. Following consultation with the planning department, the window design has been altered to an oriel window that is obscured on the side facing the properties located on Tobin Street.

PRINCIPLE OF DEVELOPMENT

The proposal is for an amendment to an existing residential apartment scheme within a designated Primarily Residential Area as such, the proposal is acceptable in principle.

SITE AND SURROUNDINGS

The site is located within the residential area of Egremont and is a former print works. There are a mix of properties within the area including semi detached dwellings to the east, residential care apartments to the south, the Vaults public house to the west and terrace dwellings located along Wright Street to the north.

The side elevation is currently black at present and lies adjacent to the southern most point of the neighbouring front gardens

POLICY CONTEXT

Unitary Development Plan policies HS4 and HS13 are relevant, whilst Supplementary Planning Documents SPD2: Self Contained Flat Developments and SPD4: Parking Standards are also relevant.

The layout and design of the development must satisfy the criteria of HS4 – it must relate well to adjacent properties and not result in a detrimental change in the area. The proposal involves the insertion of windows within the side elevation of the property on Tobin Street. The size and form of the proposed windows will tie in with the character if the building and follows the form of the existing fenestration. The new windows will serve the existing bedrooms and following the amendment will provide views to the south and east.

The proposed oriel windows address the criteria of policy HS13, and are within the limits established in Supplementary Planning Document 2 (SPD2).

As Tobin street falls steeply in gradient from west to east, the introduction of windows will allow the proposed secondary windows views of the Mersey River to the east without detriment to the amenities of neighbours. Whilst the windows are on the side of the property adjacent to the side gardens 9 Tobin Street, the amended design will ensure the windows do not overlook the adjoining properties. Should members be minded to approve the application a condition will be imposed that ensures these windows are fixed and obscurely glazed.

The NPPF states purpose of the planning system is to contribute to the achievement of sustainable development. Paragraphs 18 to 219 taken a whole constitute the Governments view of what sustainable development in England means in practice for the planning system. . It is a core principle that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants.

The proposal is for an amendment to sustainable residential development within a residential area which is encouraged by the NPPF.

APPEARANCE AND AMENITY ISSUES

At the time of writing this report 3 objections have been received from neighbouring properties. The objections are summarised as follows:

1. Invasion of privacy/overlooking
2. Mess during construction
3. Health and safety issues relating to cleaning and maintenance
4. Impact upon the value of adjacent homes

The proposed conversion will have minimal impact upon the overall appearance of the building as the proposed windows will tie into the character of the host building without detriment to the street scene. The proposed windows have been amended at the request of the Local Planning Committee and as

such it is considered that there will be no overlooking of neighbouring properties introduced.

As stated above the windows have been amended to preserve the privacy of neighbours. The oriel design ensures the view of the window is directed to the south east away from the adjoining dwellings. The properties 9-17 Tobin Street have long front gardens that drop off at the last metre or so to a retaining wall where the properties meet the highway. The back section of the proposed oriel windows nearest to the dwelling houses will be fixed and obscurely glazed to prevent overlooking, the view will be focused away from the dwellings and at most will provide views over the sloping planted area of the front garden only that is immediately adjacent to the road. The Council has taken the view that the newly designed windows will allow views towards the south east and due to the angle of the apartments and the design of the proposed windows will not result in any detriment to the amenities of the adjacent dwellings.

In addition the objections all relate to loss of privacy of their front gardens. Whilst the Council considers the proposed oriel windows overcomes these issues, the front gardens are only semi-private at present as currently these gardens can be seen from the road and from the neighbouring flats across the road - Elmswood.

Health and safety issues regarding cleaning and maintenance, the mess during construction and loss of value are not planning matters.

Both the Environmental Health team and the engineers department have been consulted and have not raised any issues relating to noise, disturbance or highway safety.

The proposed development is deemed acceptable in terms of the criteria set out in Policy HS13 of Wirral's Unitary Development Plan, SPD2 and the NPPF.

SEPARATION DISTANCES

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.

As stated above the design of the additional windows will ensure there will be no additional overlooking created.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no significant highway/traffic implications. The Engineers department has raised no objection to the proposed development.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The amended design of the proposed windows will ensure there will be no loss of amenity to the occupiers of adjacent properties, and will be in keeping with the character of the area. As such the proposal is therefore deemed to be in accordance with Policies HS13 of the Wirral Unitary Development Plan, SPD 2 and the National Planning Policy Framework and recommended for approval.

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 amended design of the proposed windows will ensure there will be no loss of amenity to the occupiers of adjacent properties, and will be in keeping with the character of the area. As such the proposal is therefore deemed to be in accordance with Policies HS13 of the Wirral Unitary

Development Plan, SPD 2 and the National Planning Policy Framework and recommended for approval.

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. Before the development hereby permitted is brought into use the back section of the oriel windows hereby permitted, facing north east shall be fixed and obscurely glazed with frosted glass up to 1.7m above finished floor level as indicated on drawing no. 6319/19a and shall be retained as such thereafter.

Reason: In the interest of amenity having regards to policy HS13 of Wirral's Unitary Development Plan.

Last Comments By: 09/01/2018 11:36:03
Expiry Date: 29/12/2017

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Planning Committee

18 January 2018

Reference:
APP/17/01274

Area Team:
North Team

Case Officer:
Mrs C Parker

Ward:
Rock Ferry

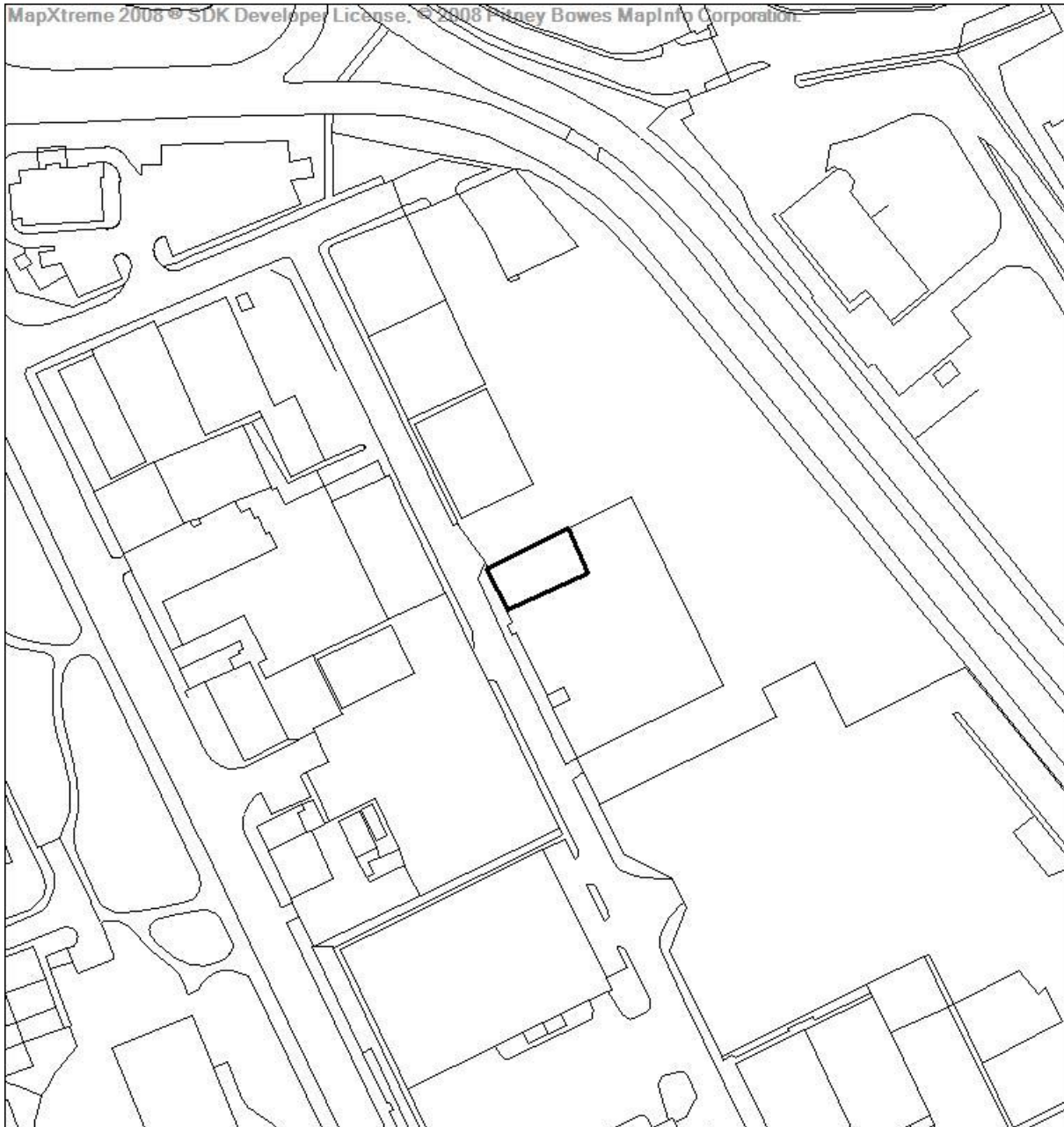
Location:
Proposal:

9 RUSSELL ROAD, ROCK FERRY, CH42 1LU
The proposed area will be used for a personal training studio with a small area (which is already separated and was previously offices) for a beauty and makeup room. The majority of the area will have equipment solely for Personal Trainers to use for their clients for 1-2-1 sessions, JS Fitness

Applicant:

Agent :

Site Plan:



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Development Plan Designation:

Primarily Industrial Area

Planning History:

Location: Kirkham Buildings, Russell Road, Rock Ferry. L42 1LU
Application Type: Full Planning Permission
Proposal: Change of use from pallet manufacture to fastenings storage and installation of window shutters.
Application No: APP/95/06014
Decision Date: 05/09/1995
Decision Type: Approve

Location: Turner Buildings, Russell Road, Rock Ferry. L42 1LV
Application Type: Full Planning Permission
Proposal: Installation of fire exit doors and elevational alterations.
Application No: APP/96/05423
Decision Date: 13/05/1996
Decision Type: Approve

Summary Of Representations and Consultations Received:**REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications, 5 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report no objections have been received.

CONSULTATIONS:

Highways - No Objections
Environmental Protection - No Objections

DIRECTORS COMMENTS:**REASON FOR REFERRAL**

The proposal is a departure from the development plan.

INTRODUCTION

The proposal is for the change of use from

PRINCIPLE OF DEVELOPMENT

The proposed development is a departure from the statutory development plan, there being no provision for a mixed use comprising a personal fitness training studio and a beauty and make-up room within the Primarily Industrial Area under UDP Policy EM8. Planning law requires that the planning application be determined in accordance with the Wirral Unitary Development Plan unless material considerations indicate otherwise.

SITE AND SURROUNDINGS

The site is a small industrial unit located within an existing building, which is part of Russell Road Business Park. There are varying sizes of buildings within the immediate area and some units are vacant. The units within the business park are located alongside the Rock Ferry By-Pass but accessed via Russell Road. The majority of the units are located within medium to large industrial/warehouse buildings that are mainly portal frame construction clad with brick elevations and corrugated sheet roofs. The area is characterised as industrial, however, there are a number of retail and office units close by and a hot food take-away located close to the junction with the Rock Ferry By-Pass.

POLICY CONTEXT

UDP Policy EM8 Development within Primarily Industrial Areas states; Within the Primarily Industrial Areas indicated on the Proposals Map, proposals for the following uses will be permitted, uses falling

within Classes B1, B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 and proposals for the reconstruction, extension or expansion of existing businesses, including those involving the introduction of a notifiable hazardous substance above its controlled quantity subject to Policy PO8. In which, case material considerations that outweighs the adopted UDP must be identified if approval for the proposed use is to be granted.

Material Considerations

The National Planning Policy Framework (NPPF) states that 'health and fitness centres' are Main Town Centre Uses (Annex 2) and that Local Planning Authorities should 'ensure the vitality of town centres' and recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. Paragraph 24 goes on to state that; Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

In terms of building a strong competitive economy the Government wants the planning system to do all that it can to support sustainable economic growth, but expects planning policies should to avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. NPPF paragraphs 18-22 refer). This is taken into account in Policy CS17, in the emerging Core Strategy Local Plan, which enables alternative uses to be considered where:

- the site is not suitable for one of the priority sectors set in Policy CS14 such as greener growth industries, flexible business space for start ups and SME's ; and
- there has been continuous 12 month* marketing of the site for employment purposes at realistic prices and there is no reasonable prospect of the site being re-used for employment purposes;
- an ongoing supply of available, suitable, developable employment land would be retained; and
- the uses are compatible with the character of the surrounding area, would not restrict operation of other employment uses, contribute to more sustainable patterns of development and meet Development Management Policy CS42; or,
- the development is necessary to secure employment development that would not be otherwise viable.

(*amended in Proposed Modifications published in July 2013 to reduce the marketing period from 24 to 12 months).

Priority will be given to the protection of sites that score highly against the criteria set out in the Wirral Employment Land and Premises Study and are able to provide employment and training for people in areas of greatest need.

POLICY & AMENITY ISSUES

The industrial unit has been vacant since December 2015. The nature of the business is health and fitness and utilising the vacant unit will operate as a client only membership as opposed to a commercial gym. The business plan is to provide a range of health and fitness services within the unit, including sports therapy, beauty therapist and this would require a changing room, office and consultation room. The unit is 3,000 sq ft and the submitted details show that the unit will be divided into 2 parts: a floor area of 2,000 sq ft will be used as a gym space with weights and a functional area for exercise classes and group training. The remaining 1,000 sq ft area will be used for sports and beauty therapist, changing room and office and consultation areas.

New premises are required within the local area due to the existing client base and certain requirements due to the nature of the gym and equipment.

A sequential assessment of more central locations including existing centres based on the applicant's requirements has been submitted which addresses the discounting of other sites within the Borough, including New Ferry, Birkenhead Town Centre, Oxton, Upton and Bromborough. Twenty six premises have been identified, considered and discounted based upon the applicant's requirements. The use is for a gym and fitness studio that requires high ceilings to and large floor areas to accommodate equipment. The sequential assessment concludes that the alternative sites did not meet the applicant's requirements. This was due to various reasons: floorspace was too small, restricted to B2 and B8 uses, ceiling too low for hanging ropes, insufficient parking, expensive rent, unit for sale only, insufficient floorspace, insufficient location of client base and floorspace too large.

The applicant has submitted a marketing document from the site owners to confirm the occupational and marketing history of the unit. Active marketing for two years has been undertaken of the unit, since 2015 including marketing boards, bespoke marketing brochure and circulars to local and regional agents and advertising on letting agents' websites, Zoopla Commercial and social media advertising. The building was subdivided into 5 smaller units as marketing the larger building found that prospective tenants wanted smaller units. Three out of the five units are let with two remaining vacant despite the marketing exercise since 2015.

The applicant has outgrown the current location within a gym and needs their own premises in order to not only maintain their business but to grow within the local area. The applicant has pursued eligibility for a business grant but found that grants are available for a particular industry, focussing on research and development with only investment for a business use "as usual", for example to run an existing gym and equipment and not for growth and investment.

It is considered that given the level of information and evidence regarding the limited demand for these units for industrial purposes, the proposed use of the unit for health and fitness purposes would accommodate the only industrial units available within this area and would not therefore result in a material change to the character of the area.

SEPARATION DISTANCES

Separation distances do not apply in this instance.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The application is contrary to UDP Policy EM8, there being no provision for health and fitness centres which are identified as a town centre use in NPPF. Evidence of unsuccessful marketing since 2015 and the unavailability of grant funding in this particular case can be accepted as material considerations that indicate there is currently no reasonable prospect of a site being used for the designated employment purposes in the near to medium term, The applicant has also demonstrated there are currently no other sequentially preferable sites for accommodating the proposal in the locality.

Having regard to the sequential test set out in the NPPF and the evidence on the prospects of securing the employment uses for the site it is considered that the proposal would be acceptable on a temporary basis in this particular case, as the proposed use of this building is unlikely to result in harm to

neighbouring businesses or the viability of nearby retail centres.

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 and Policy CS17 in the emerging Core Strategy Local Plan. In reaching this decision the Local Planning Authority has considered the following:-

The application is contrary to UDP Policy EM8, there being no provision for the proposed health, fitness centre which are identified as a town centre use in NPPF. Evidence of unsuccessful marketing and the unavailability of grant funding for the application site can be accepted as material considerations that indicate there is currently no reasonable prospect of a site being used for the designated employment purposes in the near to medium term, The applicant has also demonstrated there are currently no other sequentially preferable sites for accommodating the proposed use. It is, therefore, considered that the proposal can be accepted on a temporary basis in this particular case.

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 the 2 November 2107.

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

3. The premises shall be used for a Personal Fitness Training Studio (incorporating Beauty Therapy, Sports Massage and ancillary consultation room) and for no other purpose (including any other purpose in D2 of the schedule to the Town and Country Planning Use Order 1987, or any subsequent Order or statutory provision revoking or re-enacting that Order.

Reason: In order to protect the character of the area and to accord with the National Planning Policy Framework.

4. The use hereby permitted shall be discontinued and the land restored to its former condition on or before ten years of the approval date in accordance with a scheme of work(s) to be submitted to and approved in writing by the Local Planning Authority.

Reason: To enable an assessment of the effect(s) of the development on the amenities of the character of the area, having regard to Policy EM8 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 04/12/2017 14:20:42

Expiry Date:

28/12/2017

Planning Committee

18 January 2018

Reference:
APP/17/01287

Area Team:
South Team

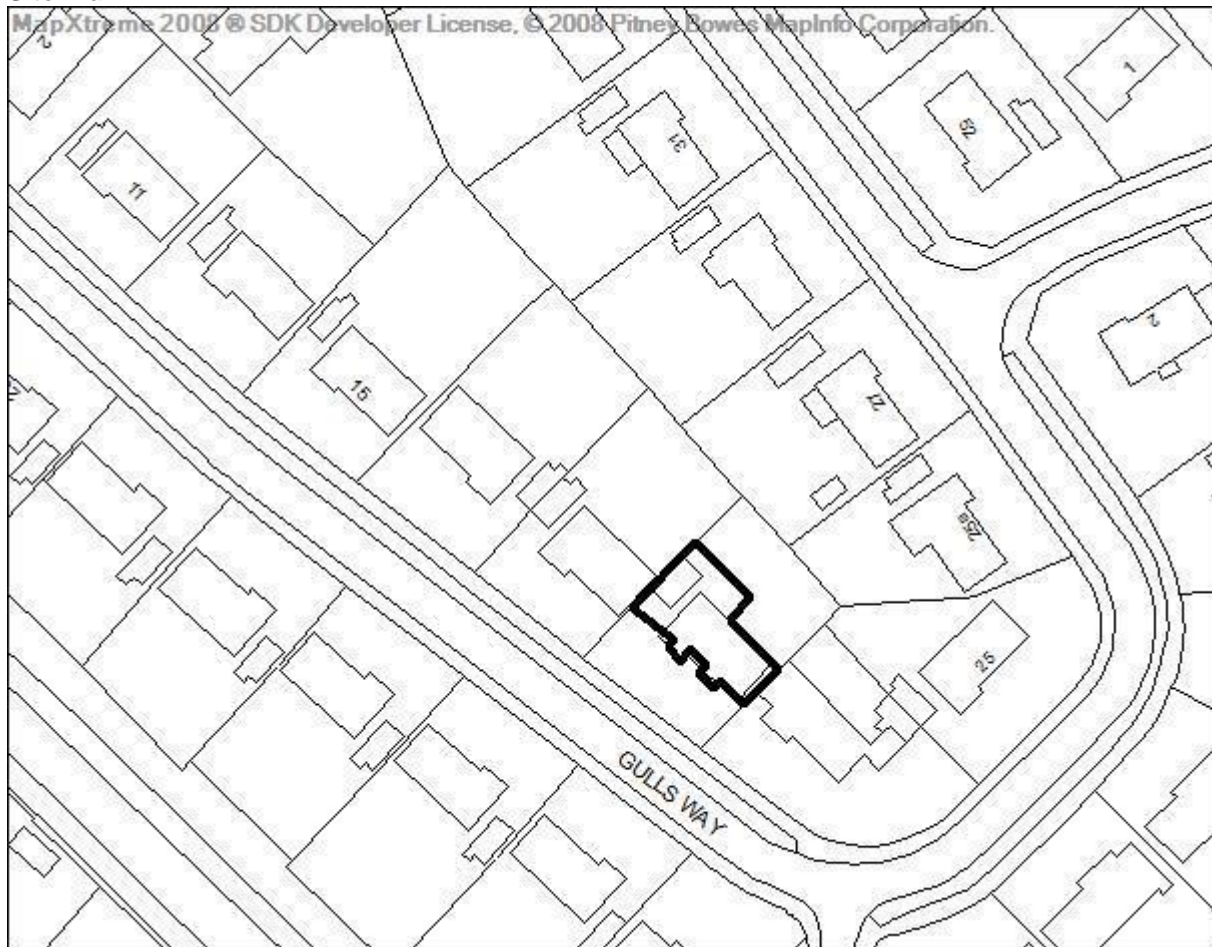
Case Officer:
Mr C Smith

Ward:
Heswall

Location: 21 GULLS WAY, HESWALL, CH60 9JG
Proposal: Resubmission: Removal of existing roof and new roof with reconfigured layout including front and rear dormer windows. New single storey side and rear extension. Remodelled front elevation including new front porch.

Applicant: Mr Swann
Agent :

Site Plan:



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Development Plan designation

Primarily Residential Area

Planning History:

Location: 21 GULLS WAY, HESWALL, CH60 9JG
Application Type: Full Planning Permission
Proposal: Resubmission: Removal of existing roof and new roof with reconfigured layout including front and rear dormer windows. New single storey side and rear extension. Remodelled front elevation including new front porch.
Application No: APP/17/01287

Decision Date:
Decision Type:

Location: 21 GULLS WAY, HESWALL, CH60 9JG
Application Type: Full Planning Permission
Proposal: Existing roof replaced with reconfigured layout, including two storey front extension and two front dormer windows. Single storey side extension to existing garage. Single storey rear extension. New front porch.(Amended)

Application No: APP/17/00573
Decision Date: 19/07/2017
Decision Type: Withdrawn

Appeal Details

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications 7 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report the Local Authority has received 14 letters of objection and one petition of objection containing 54 signatures.

Summary of objections:

- i. The majority of objections stated that the development would dominate the existing dwelling and be visually overbearing. These objections often went onto state that the proposed development was out of character, not only to the host dwelling but the wider street scene.
- ii. A number of objections stated that the development would directly impact the amenity of neighbouring dwellings in regard to existing light, outlook and privacy.
- iii. One objection stated that the single storey rear extension clearly fails the 45 degree rule test and will have an adverse impact on light to the neighbouring dwellings habitable windows.
- iv. A number of objections stated that turning a 2 bedroom dwelling into a 5 bedroom house was not acceptable, and that these types of applications are ruining the area. Further one objection stated that small bungalows are becoming a scare commodity for those who wish to downsize and retire and this type of development should not be permitted.
- v. A number of objections directly quoted Wirral's UDP Policy HS11 and Supplementary Planning Guidance Note 11. These objections stated that the proposed single storey rear extension, front porch extension, and rear and front dormers were contrary to policy in multiple ways.
- vi. One objection stated that the existing plans do not give specific measurements of the ridge height.
- vii. A handful of objections from neighbouring residents stated that they had previously been refused regarding applications to raise existing roof ridges and create rear dormer windows.
- viii. One objection stated that the development would create more traffic in the area, along with disruption when being constructed.

CONSULTATIONS

Head of Environment & Regulation (Traffic & Transportation Division) - No objection.

DIRECTORS COMMENTS:

REASON FOR REFERRAL:

The application received a qualifying petition of objection containing 54 signatures.

INTRODUCTION

The proposal is seeking planning permission for the removal of existing roof and construction of a new roof with reconfigured layout including front and rear dormer windows. The proposal includes a new single storey side and rear extension and remodelled front elevation with a new front porch.

This application is a resubmission of APP/17/00573 which was previously withdrawn by the applicant. The developer has submitted a similar scale scheme to the previous proposal (APP/17/00573) however the proposed front and rear dormers are slightly smaller in scale and the internal layout of the first floor has been significantly altered.

PRINCIPLE OF DEVELOPMENT

Front dormer windows are a departure from Wirral's Unitary Development Plan. Otherwise the principle of the development is acceptable subject to Policy HS11 of Wirral's Unitary Development Plan, SPG11 and the provisions of the National Planning Policy Framework.

SITE AND SURROUNDINGS

The proposal site is a detached bungalow set within a Primarily Residential Area. The land levels in the area slope considerably from North East to South West. The neighbouring dwellings to the rear (North East) of the proposal site are approximately 1 to 2 metres higher than the proposal site dwelling ground floor. The neighbouring dwellings to the front (South West) of the proposal site similarly are approximately 1-2 metres lower than the ground floor level of the proposal site dwelling.

The neighbouring dwellings are generally of similar scale and design, however there are a number of examples of quite extensive redevelopment of existing single storey bungalows in the wider area. There are various extensions within the immediate street scene, including raised roofs, front and rear dormers and front porches. The neighbouring dwelling No. 23 Gulls Way received permission in 2013 for the "Erection of 2-storey side extension and conversion of roof space, including dormer extensions to the front", which has subsequently been completed. The neighbouring dwelling No. 13 Gulls way had permission in 2001 for "Erection of dormer windows to front and rear, garage to side, conservatory to the rear and front porch and re-roofing with new raised roof (0.8m higher)". The neighbouring dwellings to the rear (North East) of the proposal site No. 27 and 25 Gulls Way have had single storey rear extensions in recent years.

The proposal site has an open front garden with a grass lawn and driveway to the West of the site. To the side of the dwelling is a detached flat roof garage that is detached from the original dwelling. The rear garden has a large grass lawn and is surrounded by 1.8 metre high timber fencing. The rear garden has a considerable amount of 2-3 metre high hedging and trees along the rear boundary of the proposal site.

POLICY CONTEXT

The application shall be assessed under policy HS11 House Extensions of the Wirral Unitary Development Plan, SPG11 House Extensions and the National Planning Policy Framework.

HS11 states that the scale of any proposed development should be appropriate to the size of the plot and not dominate the existing building, and not be so extensive as to be unneighbourly. Particular regard should be had to the effect on light to and the outlook from neighbours habitable rooms and development should not result in significant overlooking of neighbouring residential property. The design features and materials used should complement the existing building.

SPG11 states that it is always important to consider the specific character of the building being extended and to take account of the context of the property. Extensions built close to the boundary with a neighbouring property may have an adverse impact on the enjoyment of that property. Extensions should not be so large as to create an effect of over-dominance or cause significant visual intrusion or significantly impact existing light levels (daylight and sunlight).

SPG11 states that front extensions will clearly impact on the street scene and will rarely be acceptable on semi-detached properties, properties that are prominent within the street scene or where there is a definite building line. Front porches should be restricted in size and scale to the exterior door over which they are sited and should meet the following criteria:-

- Porches should not project forward more than one fifth of the front garden depth or 1.5 metres whichever is lesser;
- The design and materials should match the character and design of the original house;
- Porches should have a pitched roof where appropriate;
- Porches should not exceed the sill high of the first floor windows.

SPG11 states that roof alterations and dormer window extensions can have a detrimental impact on the character of the area, and lead to substantial loss of privacy and amenity to neighbours. Dormer extensions should be sensitively designed to not have a negative visual impact on the appearance of the property and the character of the surrounding area. Dormers should not result in significantly

increased overlooking of neighbouring properties. Proposals that unacceptably dominate the existing building or appear obtrusive in the street scene will not be allowed.

Front dormers will not be allowed where they would have an adverse impact on the character of the street scene or on the appearance of the original dwelling. Dormer extension to the rear should be set in at least 0.5 metres from the gable of any property or the party boundary. Dormers should be set back from the original rear wall by at least 0.5 metres and should be lower ridge height of the dwelling. Dormers should vertically correspond with existing windows and should match their style and proportions. The design should match the existing materials. In the case of rear dormers on a house with a hipped roof, the dormer shall not extend beyond the roof plane of the hip.

SPG11 states that where two habitable rooms to principal elevations face one another such that direct overlooking is likely to occur, the windows shall be a minimum of 21 metres apart. Where a sole window to a main habitable room faces a blank wall they must be a minimum of 14 metres apart.

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 is seeking to considerably remodel the existing single storey bungalow into a 1.5 storey bungalow with a new roof layout including dormers providing first floor roof space. The main planning matters relating to the proposal include the potential impact of the development on neighbouring amenity in regard to existing light, outlook and privacy and the impact of the development on the character of the host dwelling and street scene.

The proposed new roof layout will include raising the existing ridge by approximately 1.0 metre, which will also raise the eaves of the existing dwelling approximately 0.5 metres. The proposed new roof design will include one large and two smaller front elevation dormer windows, and one large rear elevation dormer window.

The raising of the roof ridge will significantly change the appearance of the host dwelling along with the new front dormer windows however the impact of this development on the in the wider street scene is mitigated significantly by the fact that there are various dwellings in the immediate and wider street scene which have had permission for similar extensions with a similar scale and design. The developer has provided a street scene comparison with the current proposal and it shows clearly that the proposed ridge height would not be excessive when compared with neighbouring dwellings in the wider street scene.

The neighbouring dwelling No. 23 Gulls Way has an existing single storey side extension that abuts the party boundary with the proposal site and is set in from the front elevation of the dwelling by approximately 2.0 metres. Judging from the previous application in 2013 (APP/13/00357) at 23 Gulls Way, the side extension serves a kitchen, which is internally linked to a dining room. The front elevation window closest to the boundary with the proposal site is therefore in this instance considered to be the secondary window serving the dining room (habitable room), as the dining room is served by windows on the rear elevation of the dwelling. The neighbouring dwelling No. 23 Gulls Way's rear elevation wall projects considerably past the building line of the proposal site dwelling and when taking into account the orientation of both dwellings, land level differences and the path of the sun during the day, it is not considered the raising of the ridge will have any significant impact on the expected amenity of the occupiers of No. 23 Gulls Way in regard to existing light and outlook.

Front dormers are a departure from Wirral's Unitary Development Plan and will only be permitted where they already exist in a street scene, and in this instance many neighbouring dwellings have front dormers and therefore the precedent is established. The design of the front dormer windows are considered to correspond with the front elevation windows sufficiently and the scale of the dormers will have no significant negative impact on the character of the street scene. While one of the proposed front dormer windows is considerably larger than the other two, it is considered this design will have a positive impact on the character of the host dwelling. The neighbouring dwellings to the South of the proposal site are approximately 27 metres away from the front elevation of the proposal site dwelling and therefore are considered to comply with SPG11 separation distances comfortably in

this instance.

The proposed rear dormer will be lower than the proposed ridge height by 0.4 metres and will be set in from the rear wall of the dwelling by 0.5 metres and will be set in from the side elevation of the dwelling 0.5 metres on both sides. The rear dormer window will span a length of just over 12 metres and will have 4 new rear elevation windows. The proposed rear dormer is indicated on the plans to be externally finished with grey feature weather boarding.

In this particular instance significant weight is given to the fact that in 2001 permission was granted at No. 13 Gulls Way (APP/01/07206) for a rear dormer window that spans the majority of the rear elevation of an extension which also included the original dwellings ridge being raised (approximately 0.8 metres). Taking into account the scale, design and materials of the proposed rear dormer and the scale of the rear dormer permitted in 2001 at No. 13 Gulls way, it is not considered that the rear dormer will have any significantly negative impact on the street scene or character of the host dwelling.

The proposed rear dormer windows serve a family bathroom, landing and en-suite and therefore are not considered habitable rooms. Taking into account that neighbouring dwellings to the North East of the site is approximately 23 metres away from the proposal site rear elevation, it is considered that the proposed rear dormer could introduce privacy issues between the properties. In the interest of protecting neighbouring residential amenity in regard to privacy, all of the proposed rear dormer windows will be conditioned to be obscurely glazed and non-opening up to a height of 1.7 metres from the internal floor level.

The proposed single storey rear extension will project 3.8 metres from the rear wall of the original dwelling and will internally join the redesigned side garage, which is being incorporated into the new footprint of the dwelling. The rear extension will be set approximately 0.5 metres from the party boundary and will have a flat roof with a maximum height of approximately 3.0 metres. The proposed rear extension is single storey and the proposed rear and side elevation windows and doors are not considered to cause any overlooking of neighbouring property as sufficiently high boundary treatments in the rear garden protect neighbouring amenity in this regard.

The proposed rear extension does not comply with SPG11 45 degree rule when taken from the neighbouring dwellings No. 19 Gulls Way rear habitable window, closest to the party boundary between the sites. The party boundary between No. 21 and 19 Gulls Way consist of a 1.8 metre high timber fence, along with mature bushes/hedges, which provide a considerable level of privacy between the two sites. Taking into account that the existing detached garage on the site already projects past the rear wall of the proposal site dwelling to some degree, the boundary treatments at the site and the orientation of the dwellings in relation to the sun, it is not considered that the single storey rear extension will have any significant impact on the neighbouring occupiers of No. 19 Gulls Way in regard to existing light, outlook and privacy.

The single storey side extension which will incorporate the existing detached garage into the foot print of the dwelling is considered to be design well and the new pitched roof with gable end over the garage will relate well to the rest of the proposed development, and is therefore not considered to have any negative impact on the character of the host dwelling or wider street scene. The side garage extension will have no impact on neighbouring amenity in regard to existing light, outlook or privacy.

The proposed new front porch will project just over 0.8 metres from the front wall of the original dwelling however this will remain in line with the ground floor building line. The front porch does not project more than 1/5th of the front garden depth or more than 1.5 metres and is therefore acceptable under SPG11 in these regards. SPG11 states that front porches should have a pitched roof were appropriate, however in this instance the developer is seeking a more modern design that in this instance is considered to be acceptable taking into account the overall renovations of the existing dwelling. Taking into account these considerations the design and scale of the proposed front porch will have no adverse impact on the character of the street scene.

The proposed development walls will be constructed from brick, block and render finish. The proposed roof will be externally constructed with concrete roof tiles. The proposed windows and doors will be grey UPVC and the proposed rear dormer will be clad with timber weatherboard. In the

wider street scene various external finishes can be found including external brick and render, various roof slates and generally white UPVC windows. The proposed external materials are not considered to significantly detract from the character of the street scene and will provide a more modern update to the existing bungalow.

Some weight is given to the fact that during the planning process of the previous 2017 (APP/17/00573) application, the developer was requested by the Local Authority to address concerns regarding the dominance of the extension in the street scene from a visual aspect. As part of the previous 2017 application the developer had provided amendments to reduce the proposed larger front dormer in scale and also introduced a duck hip to the roof, which can be found in the wider street scene. It has been taking into account that again the current application has reduced the scale of the dormers slightly.

While the proposed dwelling will visually appear significantly changed to that of the original dwelling, it is not considered that the development is inappropriate to the size of the plot or would negatively impact the character of the street scene. The proposed development is considered to have no negative impact on the expected amenities of neighbouring dwellings in regard to existing light, outlook and privacy. The proposed development is considered to comply with HS11, SPG11 and the NPPF and is therefore considered acceptable.

Other Matters:

A considerable number of the objections received stated that the development would dominate the existing dwelling and be visually overbearing contrary to HS11 and SPG11. As previously stated, the developer has sought to amend small details of the scheme to address the Local Authority's concerns and the current proposal has reduced the scale of the proposed front and rear dormers. The proposed development overall is not considered to have any significant negative impact on the character of the street scene and would not form a dominant feature.

A number of objections stated that the development would directly impact the amenity of neighbouring dwellings in regards to existing light, outlook and privacy. For the reasons previously stated the development is considered to have no negative impact on neighbouring amenities in regard to existing light, outlook and privacy. A number of objections provided their own interpretations of Policy HS11 and SPG11, which have been taken into account and this report provides clarification as to why the current proposal is considered acceptable in regards to the relevant policy and guidance adopted by the Local Authority.

A number of objections stated that this type of development is ruining the area and that small bungalows are becoming a scare commodity for those who wish to down size. The Local Authority judges each application on its own merits, taking into account the relevant policy and guidance as adopted. The Local Authority has no specific policy or guidance stating that this type of dwelling cannot be extended significantly, provided the overall impact is not considered detrimental to the amenity of neighbouring dwellings or would be overbearing and dominant in the street scene. In this instance, the proposed development is considered to be acceptable in these regards for reasons previously stated.

A number of objections stated that they had previously been refused ridge height increases and rear dormer windows. Each planning application is judged on its own merits and in this instance the development is considered to be acceptable for the previously stated reasons.

A small number of objections referred to the potential for increase traffic in the area along with disruption during construction. As this is a household development, the development is highlight unlikely to result in any highway safety or congestion issues. Issues regarding possible disruption and noise and disturbance during the construction of a household development are expected consequences of the planning permission. If considerable disturbance is caused by the development to the detriment of neighbouring occupiers then the Local Authority's Environmental Health department has statutory powers to control such matters.

One objection stated that the existing plans do not give specific measurements of ridge height. The plans provided by the developer are to scale and can be measured from.

SEPARATION DISTANCES

SPG11 states that 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. The proposal is not considered to result in direct overlooking.

HIGHWAYS

There are no highways objections.

ENVIRONMENTAL HEALTH

There are no environmental health objections.

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 expect to enjoy. The proposal complies with NPPF - Requiring Good Design, HS11 - House Extensions, SPG11 - House Extensions, and is therefore considered acceptable.

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 NPPF - Requiring Good Design, HS11 - House Extensions, SPG11 - House Extensions, and is therefore considered 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 06/10/17 and 28/11/17 and listed as follows: Drawing No. 001 Revision P2, 002 Revision P2, 003 Revision P2, 004 Revision P2, 005 Revision P2, 006 Revision P4, 007 Revision P4, 008 Revision P2, 009 Revision P3, 010 Revision P3, 011 Revision P1.

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

3. The window(s) hereby permitted at first floor on the North East (rear) elevation shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7m above the internal floor level of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with policy HS11 of the Wirral Unitary Development Plan and SPG11.

Further Notes for Committee:

Last Comments By: 15/11/2017 10:49:07

Expiry Date: 01/12/2017

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Agenda Item 14

Planning Committee

18 January 2018

Reference:
APP/17/01331

Area Team:
North Team

Case Officer:
Mr N Williams

Ward:
**West Kirby and
Thurstaston**

Location: Stone Hive, DARMONDS GREEN, WEST KIRBY, CH48 5DU
Proposal: Construction of two-storey dwelling adjacent to Stone Hive

Applicant: Carista Developments Ltd
Agent : Collins Architecture

Site Plan:



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Development Plan Designation:

Primarily Residential Area

Planning History:

- Location: Stone Hive, 53, Grange Road, West Kirby. L48 5DU
Application Type: Full Planning Permission
Proposal: Conversion into two dwellings.
Application No: APP/89/07811
Decision Date: 15/02/1990
Decision Type: Approve
- Location: Stone Hive, DARMONDS GREEN, WEST KIRBY, CH48 5DU
Application Type: Full Planning Permission
Proposal: Extended entry porch and first floor dressing room/study over existing ground floor cloakroom
Application No: APP/13/00650
Decision Date: 22/08/2013
Decision Type: Approve
- Location: Stone Hive, DARMONDS GREEN, WEST KIRBY, CH48 5DU
Application Type: Full Planning Permission
Proposal: Retention of lean-to store/shed to side of house.
Application No: APP/15/01394
Decision Date: 04/12/2015
Decision Type: Approve
- Location: Stone Hive, DARMONDS GREEN, WEST KIRBY, CH48 5DU
Application Type: Full Planning Permission
Proposal: Proposed two storey extension to provide additional family accommodation at existing dwelling. The lower level of the proposal is built into the existing garden topography providing a section of subterranean development.
Application No: APP/16/00235
Decision Date: 19/04/2016
Decision Type: Approve
- Location: Stone Hive, DARMONDS GREEN, WEST KIRBY, CH48 5DU
Application Type: Outline Planning Permission
Proposal: Construction of new single-storey dwelling adjacent to existing house (Outline)
Application No: OUT/16/01192
Decision Date: 16/12/2016
Decision Type: Approve
- Location: Stone Hive, DARMONDS GREEN, WEST KIRBY, CH48 5DU
Application Type: Full Planning Permission
Proposal: Construction of three-storey dwelling adjacent to Stone Hive
Application No: APP/17/00750
Decision Date: 08/08/2017
Decision Type: Refuse

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications, 22 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there

had been two petitions of objection containing 56 and 49 signatures and 7 individual objections received, objecting on the grounds of:

- Increase in traffic and parking;
- Road safety concerns;
- Negative impact on Stone Hive, a house with local historical interest;
- Overlooking and loss of privacy;
- Out of character and out of scale;

CONSULTATIONS

Head of Environment & Regulation (Pollution Control Division) - No objection

Head of Environment & Regulation (Traffic and Transportation Division) - No objection

DIRECTORS COMMENTS:

REASON FOR REFERRAL

A qualifying petition of objection has been received.

INTRODUCTION

The application is for the construction of a two-storey dwelling on land adjacent to Stone Hive.

Outline permission was granted in 2016 for the erection of a single-storey dwelling on this site, under reference OUT/16/01192. Although the application was for outline permission, the access, layout and scale of the proposal was assessed at that stage. A more recent application for a three-storey dwelling was refused in August 2017 due to the scale of the building and due to likely overlooking to the neighbouring property.

SITE AND SURROUNDINGS

The application site was, until recently, part of the garden of Stone Hive, which is a large, two-storey dwelling located near the corner of Darmonds Green and Grange Road. Since outline permission was granted for the site, it appears to have been sold off as a separate parcel of land.

The site is within a Primarily Residential Area, as designated in Wirra's Unitary Development Plan and the surrounding area is almost wholly residential, with a number of dwellings which are of a high quality design and appearance located along Darmonds Green, including Stone Hive itself.

POLICY CONTEXT

The proposal is subject to Wirral Unitary Development Plan Policy HS4: Criteria for New Housing Development, which sets out criteria for new residential schemes, Policy GR5: Landscaping and New Development, and Policies WM8 and WM9 of the Waste Local Plan.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. There is a presumption in favour of sustainable development which should be approved without delay unless the adverse impacts of doing so outweigh the benefits. NPPF part 7 makes it clear that good design is a key aspect of sustainable development and that poor design which fail to take opportunities for improving the character and quality of the area should be refused.

APPEARANCE AND AMENITY ISSUES

The existing property of Stone Hive is a large, two-storey dwelling which is attached to Darmonds Cottage. Stone Hive has a large garden area between itself and Grange Road, with the levels lowering towards Grange Road, and part of this garden has now been separated to form a new plot for development. The principle of a dwelling on this plot has been established, although the extant outline permission did state that the dwelling would be single-storey.

In comparison to the recently refused application, the current proposal has been revised so that the dwelling is a traditional two-storey house and therefore much more in keeping with the character of the surrounding area. Additionally, the proposed habitable window on the rear elevation has been removed, and the design of the dwelling has been amended to incorporate more brickwork detail.

Residential Amenity

The rear elevation of the property will be within 4 metres of the boundary with Stone Hive. As noted, to ensure that there will be no overlooking created, this elevation will not contain any habitable windows, which is an alteration from the previously refused application which had proposed a bedroom window on this elevation. The only windows in this elevation will be for a staircase and a condition has been attached to ensure they are obscurely glazed. This proposed elevation will also be significantly further than 14 metres from windows in the front elevation of Stone Hive, ensuring it complies with the required separation distances between habitable windows and blank elevations. There is also some change in land levels, with the application site being set lower than Stone Hive, and this will further ensure that the proposed dwelling does not unduly impact on the occupiers of Stone Hive.

The proposed dwelling will be in close proximity to the boundary with 63 Grange Road. However, the only habitable window on the side elevation of this adjacent property appears to be a secondary window for a kitchen area, with all other habitable windows on the front and rear elevation of the property. It is therefore considered that the proposal will not have an unacceptable impact upon the amenities of occupiers of this property.

All habitable windows within the dwelling will be oriented towards either Darmonds Green or Grange Road, and will be more than 21 metres from the new property opposite on Darmonds Green, whilst there are no properties directly opposite the site on Grange Road. This is sufficient to ensure that the proposal does not impact upon the amenities of any neighbouring dwellings.

Street Scene

This site is in a prominent location close to the junction of Darmonds Green and Grange Road. The majority of dwellings on both of these roads are two-storey in scale and the proposed dwelling will therefore be in keeping with the character and scale of other properties in the area. It will be sufficiently set back from the pavement of both Darmonds Green and Grange Road and will generally follow the established building line of these roads. The proposed dwelling will be of a domestic scale similar to other properties in the area and it is therefore considered that a dwelling of this scale would appear suitable for this site, and would not appear overly obtrusive or harmful to the street scene.

There are two-storey dwellings located on similar corner locations along this part of Grange Road, including a recently-built dwelling on the opposite corner of Darmonds Green and Grange Road, and the proposed dwelling will therefore not be out of keeping with the pattern of development of the surrounding area.

There is sufficient design and interest within the proposed dwelling to ensure that it does not have a detrimental visual impact on its surroundings. The use of a brickwork band and cills will add interest to the predominantly rendered property, whilst the building has been designed to address both Grange Road and Darmonds Green, with the Darmonds Green elevation including a series of windows within a brickwork projection which should enhance the character of the building and ensure that the proposal makes a positive contribution to the street scene.

It is acknowledged that the existing Stone Hive dwelling has a wealth of character and interest, and objections have been received stating that the proposal will impact upon the setting of this. However, this property is neither listed or within a conservation area and therefore the impact that the proposed dwelling has on the setting of this property can only be given limited weight. In any case, the proposed dwelling has been reduced in scale from the most recent application and is now considered to be of a scale which should not have an overbearing impact upon the appearance or setting of this property. As stated, most other dwellings in the area are two-storey in scale, and the proposed dwelling will therefore be in keeping with this. Stone Hive will retain its main garden area to the front, and its setting will therefore not be unduly impacted upon. The lower level of the application site should also minimise the visual impact of the proposed dwelling on its surroundings.

As with the outline planning permission, amenity space will be provided along the Grange Road elevation of the dwelling. This area is fairly well screened by vegetation and a large sandstone wall and fence, and will provide sufficient private amenity space for future occupiers of the proposed dwelling.

SEPARATION DISTANCES

All required separation distances are met.

HIGHWAY/TRAFFIC IMPLICATIONS

There is off-street parking provided for the new dwelling, accessed off Darmonds Green. This is a sufficient distance from the junction and the erection of one new dwelling on this site is unlikely to result in any significant highway safety issues.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

In conclusion, it is considered that the proposed development will be of a scale that is in keeping with other properties in the area and is of a design which is considered suitable in this location. The internal layout of the proposed dwelling will ensure that the proposal does not harm the amenities of neighbouring properties, and the proposal is therefore considered to comply with Wirral Unitary Development Plan Policy HS4 and GR5, and 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 proposed development will be of a scale that is in keeping with other properties in the area and is of a design which is considered suitable in this location. The internal layout of the proposed dwelling will ensure that the proposal does not harm the amenities of neighbouring properties, and the proposal is therefore considered to comply with Wirral Unitary Development Plan Policy HS4 and GR5, and 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 19th October 2017 and listed as follows: 1705-01 Rev B; 1705 03 Rev A

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

3. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

4. NO DEVELOPMENT SHALL TAKE PLACE until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to the dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. The windows in the north elevation (serving the stairway) and the north-facing window serving Bedroom 4 shall be obscurely glazed and non-opening prior to first occupation and retained as such thereafter

Reason: To protect the amenities of the neighbouring property

7. Prior to commencement of development, a full scheme of works for the reinstatement to standard footway levels of any vehicle accesses from the highway that are rendered obsolete by the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme.

Reason: For the avoidance of doubt

8. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent development

9. Prior to the first occupation of the dwelling, arrangements for the storage, recycling and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full and retained as such thereafter unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of amenity and to ensure that the amount of waste for landfill is reduced and to accord with Policy WM9 of the Waste Local Plan.

Further Notes for Committee:

1. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works shall be undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. The submission of a Section 50 Highway Opening Notice is required prior to the commencement of any works on the adopted highway. You should contact the Council's Highway Management Team via www.wirral.gov.uk prior to

the commencement of development for further information.

Last Comments By: 24/11/2017 13:42:54
Expiry Date: 14/12/2017

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Planning Committee

Reference:
APP/17/01388

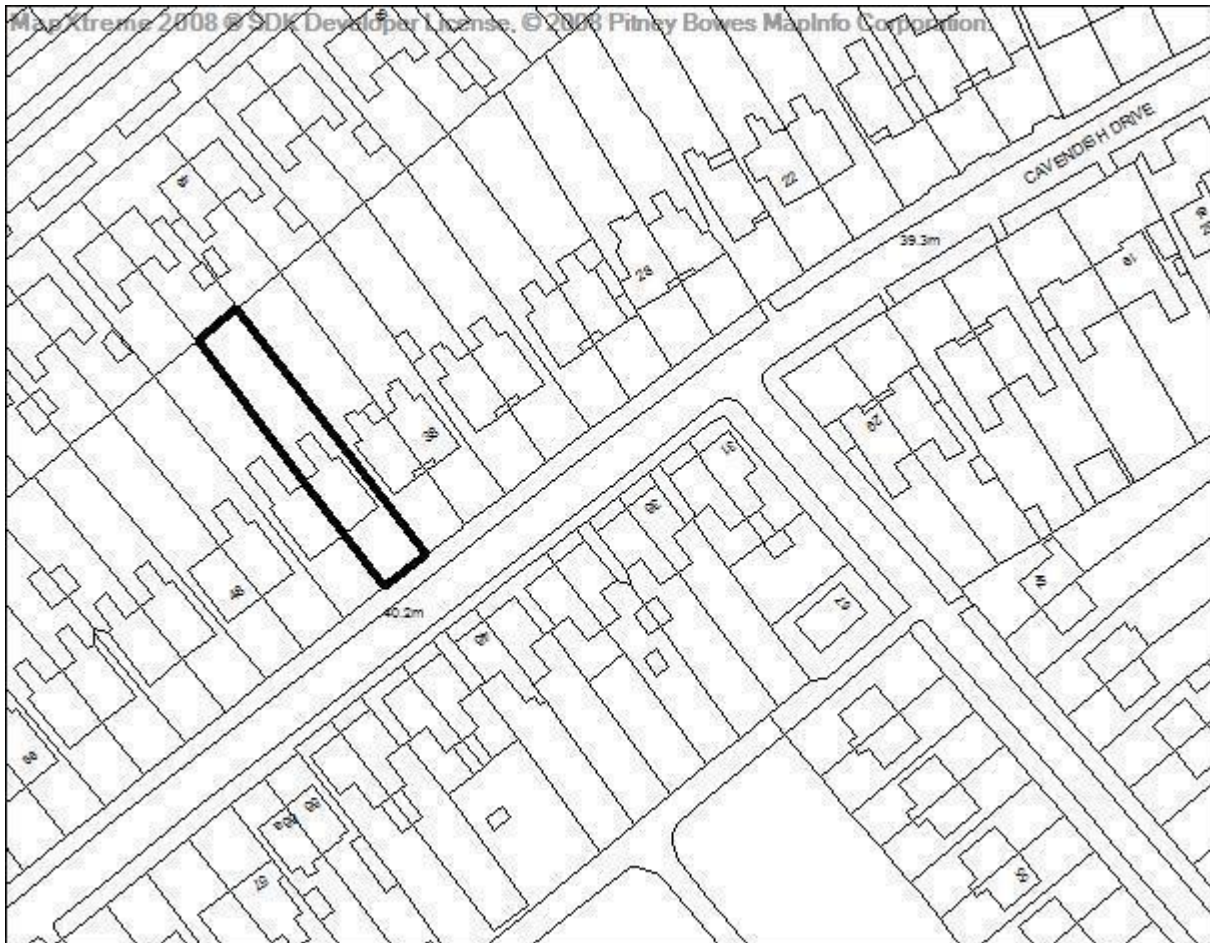
Area Team:
South Team

Case Officer:
Mr C Smith

Ward:
Rock Ferry

Location: 42 CAVENDISH DRIVE, ROCK FERRY, CH42 6RQ
Proposal: Rear ground floor extension (retrospective).
Applicant: Mr Sean Harrington
Agent : Mr William Harrington

Site Plan:



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Development Plan designation

Primarily Residential Area

Planning History:

Location: 42 CAVENDISH DRIVE, ROCK FERRY, CH42 6RQ
Application Type: Full Planning Permission
Proposal: Rear ground floor extension (retrospective).

Application No: APP/17/01388
Decision Date:
Decision Type:

Location: 42 CAVENDISH DRIVE, ROCK FERRY, CH42 6RQ
Application Type: Prior Approval Householder PD
Proposal: Erection of a single storey rear extension which would extend beyond the

rear wall of the original house by 5m for which the maximum height would be 3.8m and for which the height of the eaves would be 2.5m

Application No: RESX/15/00793
Decision Date: 01/07/2015
Decision Type: Prior approval is not required

Location: 42 Cavendish Drive Rock Ferry
Application Type: Full Planning Permission
Proposal: Erection of Plastic Netting Fence 7-8 feet high (approximately)
Application No: APP/74/01270
Decision Date: 04/03/1975
Decision Type: Refuse

Appeal Details

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications 5 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 20 objections have been received.

Brief summary of objections:

- i. A number of objections have stated that the building and site have been kept untidy and are in a state of disrepair for a number of years.
- ii. A number of objections stated that the site is used as a storage facility and tipping zone for building materials and waste.
- iii. A number of objections have stated that the works have been on-going for a number of years and it appears the developer will never finish the building works on the site.
- iv. A number of objections stated that said tipping on the site is causing vermin issues.
- v. A number of objections stated that a van parks outside the property which obscured traffic and causes highway safety issues.
- vi. The occupier of No. 40 Cavendish Drive objected on grounds that the extension impacts on light into their kitchen and dining room.
- vii. The occupiers of No. 44 Cavendish Drive states that the extension has been built on the boundary wall contrary to a written agreement with the developer.
- viii. The occupiers of No. 44 Cavendish Drive have stated that in 2015 a party wall/boundary was removed by the developer and not made good.

CONSULTATIONS:

None Required.

DIRECTORS COMMENTS:

REASON FOR REFERRAL:

Councillor Moira McLaughlin requested the application be heard by the planning committee. The Councillor stated that the property has been in a dreadful state for several years and the developer has not responded to any of the concerns that residents have expressed about the detrimental effect it has had on surrounding properties. The Councillor requested that she wishes the planning committee members to visit the property to see the situation.

INTRODUCTION

The proposal is seeking planning permission for a rear ground floor extension (retrospective).

The developer applied for a Notification of a Proposed Larger Home Extension in 2015 (RESX/15/00793). The developer sought planning permission in 2015 for the "Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 5m for which the maximum height would be 3.8m and for which the height of the eaves would be 2.5m". On 01/07/15 the Local Authority determined that 'prior approval is not required' for the works proposed by the developer. This planning consent granted by the Local Authority was subject to development

being completed on or before 30th May 2016.

The Local Authority received an enforcement complaint on 01/08/17 alleging that the works on the proposal site had not been completed before 30th May 2016. Following a site visit, the Local Authority Enforcement Officers established that the rear extension had been partially constructed, but was not considered substantially completed and therefore the development breached the previous consent granted in 2015 (RESX/15/00793). As planning permission for the 2015 application has expired, the development requires planning consent again and the current application seeks to retain the rear extension retrospectively.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to Policy HS11 of Wirral's Unitary Development Plan, SPG11 and the provisions of the National Planning Policy Framework.

SITE AND SURROUNDINGS

The proposal site contains a two storey semi-detached dwelling set within a Primarily Residential Area. The neighbouring dwellings are generally of similar scale and design and share uniform buildings lines along Cavendish Drive.

The proposal site dwelling appears to be under construction and unoccupied internally, as the front garden has building material debris and scaffolding is situated along the side of the building. The front elevation windows and doors appear to have been replaced with new UPVC and the render on the front and side of the dwelling is in a state of disrepair. The proposal site rear garden is generally covered in building material debris and the rear extension as granted permission in 2015 has been partially constructed.

The single storey rear extension is currently constructed from breeze block bricks, with a mono pitched roof with a shallow roof slope and three Velux roof lights. The rear elevation of the extension has a large section of bi-folding doors which have only been partially constructed. Internally the rear extensions are clearly not in a habitable condition, and thereby deemed not substantially complete. The rear extension, which the current application relates to, extends 5.0 metres from the rear wall of the original dwelling with a maximum height of 3.8 metres and eaves at 2.5 metres. The rear extension on the proposal site is in very close proximity to the boundary with the neighbouring site of No. 44 Cavendish Drive.

The proposal site rear garden party boundary with No. 44 Cavendish Drive consists of an approximately 2.4 metre high concrete post fence with timber infill panels. This fence along the boundary with No. 44 Cavendish Drive starts in-line with the rear elevation of the 5.0 metre extension and runs the length of the side boundary of the site. The party boundary with No. 40 Cavendish Drive consists of an approximate 1.5 metre brick high wall with a further 0.4 metre high timber fence along the top of the brick wall. The neighbouring dwelling No. 40 Cavendish Drive has an original single storey rear extension. The neighbouring dwelling of No. 44 Cavendish Drive has a single storey rear extension that looks to project approximately 3.0 metres from the rear wall of the original dwelling and is in close proximity to the boundary with the proposal site.

POLICY CONTEXT

The application shall be assessed under policy HS11 House Extensions of the Wirral Unitary Development Plan, SPG11 House Extensions and the National Planning Policy Framework.

HS11 states that the scale of any proposed development should be appropriate to the size of the plot and not dominate the existing building, and not be so extensive as to be unneighbourly. Particular regard should be had to the effect on light to and the outlook from neighbours habitable rooms and development should not result in significant overlooking of neighbouring residential property. The design features and materials used should complement the existing building.

SPG11 states that it is always important to consider the specific character of the building being extended and to take account of the context of the property. Extensions built close to the boundary with a neighbouring property may have an adverse impact on the enjoyment of that property. Extensions should not be so large as to create an effect of over-dominance or cause significant visual intrusion or significantly impact existing light levels (daylight and sunlight).

SPG11 states that rear extensions should not dominate nor significantly alter the existing levels of sunlight, privacy and daylight to adjoining properties. Single storey rear extensions within 1 metre of the party boundary should not project more than 3.0 metres from the original rear wall of the property on semi-detached dwellings.

SPG11 states that where two habitable rooms to principal elevations face one another such that direct overlooking is likely to occur, the windows shall be a minimum of 21 metres apart. Where a sole window to a main habitable room faces a blank wall they must be a minimum of 14 metres apart.

National Planning Policy Framework (NPPF) supports sustainable development which encompasses good design. Development should make a positive contribution to an area and use opportunities to improve the character and quality of an area.

APPEARANCE AND AMENITY ISSUES

The main issues to regard with this current application is the potential impact of the single storey rear extensions on neighbouring amenity in regard to existing light, outlook and privacy.

Wirral's adopted Unitary Development Plan states that single storey rear extensions on pairs of semi-detached dwellings 1 metre of the party boundary should not project more than 3.0 metres from the original rear wall of the property. SPG11 which supports HS11 states that rear extensions should not dominate nor significantly alter the existing levels of sunlight, privacy and daylight to adjoining properties.

The semi-detached neighbouring dwelling has an existing single store rear extension that appears to project approximately 3.0 metres from the rear wall of the neighbouring original dwelling. The neighbouring extension appears to be set at a lower land level than the proposal site rear dwelling, and thereby has a lower maximum height and eaves than the proposal site rear extension. Both the proposal site and neighbouring extension are in close proximity to the party boundary, but do not abut one another. The neighbouring rear extension has UPVC French style patio doors on the rear elevation and these are the windows that would be principally impacted by the rear extension on the proposal site.

In this instance substantial weight must be given to the fact that the neighbouring dwelling has an existing rear extension, and therefore the proposed extensions impact on the amenity of the neighbouring occupier is diminished significantly. It is estimated that the proposed rear extension projects 2.0 metres past the rear elevation of the neighbouring dwellings single storey extension, and in this instance the proposed rear extension is not considered to have any significant adverse impacts on the expected amenity of No. 44 Cavendish Drive in regard to existing light and outlook.

The rear extension is set approximately 1.6 metres from the party boundary with the neighbouring dwelling No. 40 Cavendish Drive. The neighbouring dwelling No. 40 Cavendish Drive is a further 1.8 metres from the party boundary with the proposal site. As the proposed rear extension is single storey and set over 1.0 metres from the party boundary, the rear extension is not thought to cause any significant harm to the amenity of No. 40 Cavendish Drive in regard to existing light.

The party boundary between the proposal site and neighbouring sites consist of high boundary walls/fences, and given the proposed rear extension has no side facing windows, the development will not result in any overlooking or privacy issues for neighbouring occupiers.

Some weight is also given to the fact that the developer received planning permission in 2015 (RESX/15/00793) for a single storey rear extension of the same dimensions as is currently being proposed. The current proposal only requires permission by virtue that the developer failed to complete the works before 30th May 2016. It would be reasonable in this instance to take into account

that central government has relaxed permitted development rights in recent years for single storey rear extensions on households, to enable this type of development. It would likely be considered unreasonable for the Local Authority in this particular instance to subsequently refuse permission for a development that received planning permission in 2015 through The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The proposed materials include external block and render walls, a tiled roof and bi-folding doors. The use of render/pebbledash is already established on the host dwelling, and as the development is to the rear of the dwelling the proposed materials are considered to have no negative impact on the character of the host dwelling or wider street scene.

Taking into account the above considerations, the extension is not thought to detract at all from any of the neighbouring properties or the amenities neighbouring properties can reasonably expect to enjoy. The increase in floor space will create no impact on the street scene. The application is considered acceptable.

Other matters:

A considerable number of objections related to the condition of the land and building and the length that building works have been on-going at the site. Linked to this issue are the residents' concerns that waste and tipping is occurring on the site which is attracting vermin. The issue over the current condition of the land or buildings on the site are not material considerations in the determination of the acceptability of the planning application. Matters regarding the condition of the land and buildings on a site could be separately addressed under Section 215 (s215) of the Town & Country Planning Act 1990 (the Act) which provides a local planning authority (LPA) with the power, in certain circumstances, to take steps requiring land and buildings to be cleaned up when its condition adversely affects the amenity of the area.

A number of objections stated that the developer clearly has no intention to complete building works at the property. The Local Authority has limited scope on single household developments in compelling developer to finish the proposed works, as many complex issues could possibly explain why works are on-going or cannot be substantially completed in the short, medium or long term. As previously stated, the Local Authority does have some scope to issue Section 215 Notice, in certain circumstances, in regard to cleaning up land and buildings.

A number of objections stated that a van repeatedly parks outside the site, obscuring traffic and causing highway safety issues. As the site is situated on a residential road and has no parking restrictions such as double yellow lines, the Local Authority Planning Department has little control over private vehicles parking on the public highway outside the site.

The occupier of No. 40 Cavendish Drive stated that the rear extension impacts light into their kitchen and dining room. As previously considered, the distances between the rear habitable windows of the neighbouring dwelling No. 40 Cavendish Drive and the rear extension are considered acceptable and thereby result in no significant impact on the amenity of neighbouring occupiers in these regards.

The occupiers of No. 44 Cavendish Drive stated that the developer has undertaken a number of works in regard to boundary walls/treatments against written agreements between the two parties. Matters in regard to the party wall are civil and not material planning considerations.

The occupier of No. 44 Cavendish Drive stated they received no notification to the application. As previously stated, notification letters were sent to adjoining properties on 27/11/17 and a site notice was displayed on 30-11-17 to notify neighbouring occupiers to the proposed development.

SEPARATION DISTANCES

SPG11 states that 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. The proposal is not considered to result in direct overlooking.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

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 expect to enjoy. The proposal complies with NPPF - Requiring Good Design, HS11 - House Extensions, SPG11 - House Extensions, and is therefore considered acceptable.

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 NPPF - Requiring Good Design, HS11 - House Extensions, SPG11 - House Extensions, and is therefore considered 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 21/11/17 and listed as follows: Drawing No. 02.

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

Further Notes for Committee:

Last Comments By: 25/12/2017 14:31:53

Expiry Date: 16/01/2018

**Planning Applications Decided Under
Delegated Powers Between
05/12/2017 and 08/01/2018**

Application No.: DPP3/16/00092 **Application Type:** Work for Council by Council
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 03/01/2018 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mersey Park Primary School **Agent:** Wirral Council Architects
Location: MERSEY PARK PRIMARY SCHOOL, ELM ROAD, TRANMERE, WIRRAL, CH4 6PA
Proposal: New extensions to provide 2 new class rooms and teaching areas (retrospective)

Application No.: APP/17/00030 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mrs Alison Al-Kadhimi **Agent:**
Location: Melrose, 90 OLDFIELD ROAD, HESWALL, CH60 6SG
Proposal: Variation of condition 4 of APP/16/00920 to remove obscure glazing at ground floor and install decorative obscure glazing at first floor (retrospective)

Application No.: LBC/17/00444 **Application Type:** Listed Building Consent
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 07/12/2017 **Decision:** Withdrawn
Case Officer: Ms J Storey
Applicant: ALEXANDER PROPERTY GROUP **Agent:** Mr Sidwell
Location: 18 ROCK PARK, ROCK FERRY, CH42 1PJ
Proposal: To convert the existing listed building into 6 self contained residential apartments and carry out all associated alterations to the external appearance. Also the proposal for 2 self contained apartments to the land adjacent and to carry out all associated works.

Application No.: APP/17/00565 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 08/12/2017 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: MBE Construction **Agent:** Paddock Johnson Partnership
Location: LAND TO THE REAR OF 27-31 WELL LANE, ROCK FERRY, CH42 4QQ
Proposal: Erection of 9 No. houses and 9 No. flats with associated infrastructure

Application No.: APP/17/00656 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Approve
Case Officer: Mrs J Malpas
Applicant: Mr Gorol **Agent:** LHGProjects
Location: Ballam Delaney Hunt Solicitors, 58 HAMILTON SQUARE, BIRKENHEAD
Proposal: Part conversion of lower ground floor, ground floor and third floor into residential to form 4 No Apartments

Application No.: LBC/17/00657 **Application Type:** Listed Building Consent
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Approve
Case Officer: Mrs J Malpas
Applicant: Mr Gorol **Agent:** LHGProjects
Location: Ballam Delaney Hunt Solicitors, 58 HAMILTON SQUARE, BIRKENHEAD
Proposal: Part conversion of lower ground floor, ground floor and third floor into residential to form 4 No Apartments

Application No.: APP/17/00720 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 05/12/2017 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Wirral Methodist Housing Association **Agent:** Paddock Johnson Partnership
Location: Garage to the rear of 107 CHURCH ROAD, TRANMERE, CH42 5LF
Proposal: Demolition of existing 2 storey store/workshop and erection of new dwelling with associated works

Application No.: LBC/17/01011 **Application Type:** Listed Building Consent
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 20/12/2017 **Decision:** Approve
Case Officer: Mrs J Malpas
Applicant: Mr David Armstrong **Agent:** Wirral Borough Council
Location: Land adjacent to 22 Argyle Street & 1 Prices Street, Birkenhead, Mesreyside, CH41 6JN
Proposal: Relocate two grade two listed telephone kiosks from the corner of Duncan Street to two different locations: to the corner of Prices Street at the junction of Argyle Street and to the corner of Hamilton Street at the junction with Duncan Street. The kiosks will be repaired & repainted.

Application No.: APP/17/01096 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 18/12/2017 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Magenta Living **Agent:** Ainsley Gommon Architects
Location: Unused Land, KENILWORTH GARDENS, UPTON, CH49 4ND
Proposal: Erection of 13 dwellings (Alteration to Planning Permission APP/14/00951, including Variation of Condition 7)

Application No.: APP/17/01106 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 06/12/2017 **Decision:** Refuse
Case Officer: Mrs S Lacey
Applicant: Mr & Mrs McCann **Agent:** Irvin Consultants
Location: rear of 89 RIDGEMERE ROAD, PENSBY, CH61 8RR
Proposal: Demolition of existing garage and the construction of a new single-storey dwelling with access restricted to pedestrians.

Application No.: APP/17/01118 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Refuse
Case Officer: Mrs S Lacey
Applicant: Mr AJ Jeffries **Agent:**
Location: 5 LARKHILL AVENUE, UPTON, CH49 4PN
Proposal: Proposed 2-bedroom dormer bungalow with access onto Hunstanton Close

Application No.: OUT/17/01119 **Application Type:** Outline Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 05/12/2017 **Decision:** Refuse
Case Officer: Miss A McDougall
Applicant: Mr J Langley **Agent:** C W Jones
Location: Thingwall Nurseries, LOWER THINGWALL LANE, THINGWALL, CH61 1AZ
Proposal: Outline Consent for 4 dwellings

Application No.: LBC/17/01123 **Application Type:** Listed Building Consent
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 20/12/2017 **Decision:** Approve
Case Officer: Mrs J Malpas
Applicant: Miss S Kennedy **Agent:**
Location: 22 WINDY BANK, PORT SUNLIGHT, CH62 5ED
Proposal: Garden design addition of garden shed timber Arbour and small log store to the back garden.

Application No.: APP/17/01134 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr & Mrs Eden **Agent:** KJP Architecture
Location: Manesty, 34 CALDY ROAD, WEST KIRBY, CH48 2HQ
Proposal: One new single storey dwelling

Application No.:	APP/17/01177	Application Type:	Full Planning Permission
Ward:	New Brighton	Decision Level:	Delegated
Decision Date:	06/12/2017	Decision:	Approve
Case Officer:	Mrs S Williams		
Applicant:	Miss Hawksett	Agent:	
Location:	111 The Cliff, WELLINGTON ROAD, NEW BRIGHTON, CH45 2NW		
Proposal:	Subdivision of existing flat into two units		
Application No.:	APP/17/01181	Application Type:	Full Planning Permission
Ward:	New Brighton	Decision Level:	Delegated
Decision Date:	11/12/2017	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Mr I Webster	Agent:	Mr D Criddle
Location:	77 EGERTON STREET, NEW BRIGHTON, CH45 2LS		
Proposal:	Retrospective application for change of use from bed and breakfast accomodation to 3no. flats. No external alterations.		
Application No.:	APP/17/01189	Application Type:	Full Planning Permission
Ward:	Greasby Frankby and Irby	Decision Level:	Delegated
Decision Date:	13/12/2017	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Mr Roberts	Agent:	Burton Architects
Location:	1 Torpenhow Cottages, MONTGOMERY HILL, FRANKBY, CH48 1NF		
Proposal:	New driveway requiring a new opening in an existing boundary wall and a new dropped kerb		
Application No.:	APP/17/01199	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	19/12/2017	Decision:	Approve
Case Officer:	Mr C Smith		
Applicant:	Mr & Mrs Hatton	Agent:	SDA Architecture LTD
Location:	15 HOWARDS ROAD, THINGWALL, CH61 7UX		
Proposal:	Single storey rear extension, new hipped roof over existing side flat roof and window amendments.		
Application No.:	APP/17/01237	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	13/12/2017	Decision:	Refuse
Case Officer:	Mr K Spilsbury		
Applicant:	Mr Preston	Agent:	Platt White Partnership
Location:	Heatherland Court Restaurant, 100 THURSTASTON ROAD, THURSTASTON, CH61 0HS		
Proposal:	Amendment to previously approved application: APP/16/01079 - Demolition of commercial premises and replacement with four new dwellings (Amended) in order to replace the corner plot bungalow to Thurstaston road with 2.5 storey dwelling and a double garage with office accommodation at first floor.		

Application No.: APP/17/01238 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 07/12/2017 **Decision:** Withdrawn by Applicant
Case Officer: Mrs S Day
Applicant: Mr Cowley **Agent:** M F Architecture Ltd
Location: Westways, 16 LINGDALE ROAD, WEST KIRBY, CH48 5DQ
Proposal: Erection of a single apartment over existing freestanding garages with extension to include a car port, an entrance staircase and first floor decking.

Application No.: APP/17/01242 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: ASG Property Development Ltd. **Agent:** ArchiPhonic
Location: 110 KING STREET, EGREMONT, CH44 8AW
Proposal: Erection of four-storey building containing 7 flats with associated works

Application No.: APP/17/01245 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Riley **Agent:** Wallace Architecture
Location: Roselea, 37 MEOLS DRIVE, HOYLAK, CH47 4AE
Proposal: Proposed Single Storey Rear Kitchen Extension with internal alterations, to the rear of the 37 Meols Drive. Hoylake.

Application No.: APP/17/01246 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 07/12/2017 **Decision:** Approve
Case Officer: Mr C Smith
Applicant: Mr M Whitby **Agent:**
Location: 168 TELEGRAPH ROAD, HESWALL, CH60 0AH
Proposal: Change of use from A3 to A4 to allow premises use as a bar(amended).

Application No.: ADV/17/01251 **Application Type:** Advertisement Consent
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 07/12/2017 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Wm Morrison Supermarkets PLC **Agent:** Butterfield Signs Limited
Location: Morrisons Petrol Filling Station, ORRYSDALE ROAD, WEST KIRBY, CH48 5AA
Proposal: Rebranding External Signage

Application No.: APP/17/01253 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 19/12/2017 **Decision:** Approve
Case Officer: Mr C Smith
Applicant: Mr Gibson **Agent:**
Location: McGowan Orthodontist, 154 BELVIDERE ROAD, LISCARD, CH45 4PT
Proposal: Resubmission: Proposed erection of conservatory to the rear of property to provide staff room facilities for existing staff. This proposal does not require employing other staff.

Application No.: APP/17/01255 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mrs Fish **Agent:** Mr O Munn
Location: Redstone, 1 LANG LANE, WEST KIRBY, CH48 5HE
Proposal: Single storey side extension.

Application No.: APP/17/01259 **Application Type:** Full Planning Permission
Ward: Seacombe **Decision Level:** Delegated
Decision Date: 08/12/2017 **Decision:** Approve
Case Officer: Ms J Storey
Applicant: Peel Land and Property Ltd **Agent:** Turley
Location: LAND ADJACENT TO NORTH BANK EAST, DOCK ROAD, WIRRAL WATERS
Proposal: Development of new and extended footway and cycleway and associated soft landscaping

Application No.: APP/17/01265 **Application Type:** Full Planning Permission
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Miss S Rhodes **Agent:**
Location: 2 ROSE MOUNT, OXTON, CH43 5SN
Proposal: Alterations and conversion of existing commercial premises comprising a work shop and ancillary office space (Use Class B1) to a residential apartment on first and second floor with an artist studio on ground floor/basement (Use Class B1) creating a live work unit.

Application No.: APP/17/01276 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 19/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr Bowskill **Agent:** Paddock Johnson Partnership
Location: 14A THINGWALL ROAD, IRBY, CH61 3UE
Proposal: Single Storey Extension

Application No.:	LBC/17/01278	Application Type:	Listed Building Consent
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	05/01/2018	Decision:	Approve
Case Officer:	Mrs J Malpas		
Applicant:	Mrs C Elwin	Agent:	Ellipta Ltd
Location:	45 BEBINGTON ROAD, NEW FERRY, CH62 5BG		
Proposal:	Reinstatement of the internal damaged elements: plastering, joinery, M&E, decorations and internal fixtures and fittings following an explosion in nearby premises.		

Application No.:	APP/17/01280	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	19/12/2017	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Mrs Lewis	Agent:	Mr Chard
Location:	167 WATERPARK ROAD, PRENTON, CH43 0TJ		
Proposal:	Erection of a single story side and rear extension.		

Application No.:	LBC/17/01282	Application Type:	Listed Building Consent
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	05/01/2018	Decision:	Approve
Case Officer:	Mrs J Malpas		
Applicant:	Port Sunlight Village Trust	Agent:	
Location:	23 PARK ROAD, PORT SUNLIGHT, CH62 4US		
Proposal:	This application is to provide a disabled access ramp to the main entrance of Bridge Cottage, 23 Park Road, Port Sunlight. Bridge Cottage is a Grade II listed end of terrace property in the Port Sunlight conservation area. Originally built as a house, the property had a change of use approved in 2015 and now serves as a Community Hub for residents of Port Sunlight. (See APP/15/00852.) Access to the main entrance of the property will be provided by installation of a ramp, mild steel railings (where required) and associated planting. The design works towards compliance with Part M of Building Regulations.		

Application No.:	APP/17/01285	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	07/12/2017	Decision:	Refuse
Case Officer:	Mrs MA Jackson		
Applicant:	Mr & Mrs Fitzpatrick	Agent:	SHACK Architecture Ltd
Location:	8 THE CRESCENT, GAYTON, CH60 3RL		
Proposal:	Demolition of existing side extension and new single storey side extension for Garden Room and Mezzanine level.		

Application No.:	APP/17/01288	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	13/12/2017	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Barlow	Agent:	SDA Architecture LTD
Location:	Crafnant, 10 CROFT DRIVE, CALDY, CH48 2JN		
Proposal:	Proposed new build family dwelling		

Application No.:	APP/17/01289	Application Type:	Full Planning Permission
Ward:	Greasby Frankby and Irby	Decision Level:	Delegated
Decision Date:	11/12/2017	Decision:	Approve
Case Officer:	Mrs S Williams		
Applicant:	Mr & Mrs Salisbury	Agent:	Bryson Architecture
Location:	8 CARMICHAEL AVENUE, GREASBY, CH49 1RU		
Proposal:	Erection of a two-storey side/rear extension		
Application No.:	APP/17/01290	Application Type:	Full Planning Permission
Ward:	Leasowe and Moreton East	Decision Level:	Delegated
Decision Date:	08/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Bristol-Myers Squibb	Agent:	AECOM
Location:	Bristol Myers Squibb Pharmaceuticals Limited, REEDS LANE, LEASOWE, CH46 1QW		
Proposal:	Temporary office block (5 year consent)		
Application No.:	RESX/17/01291	Application Type:	Prior Approval Householder PD
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	20/12/2017	Decision:	Prior approval is not required
Case Officer:	Mr C Smith		
Applicant:	Miss T Murphy	Agent:	
Location:	11 PRENTON DELL ROAD, PRENTON, CH43 3AN		
Proposal:	A single storey, blocked and rendered extension with a pitched roof. The extended area will extend beyond the rear wall of the original house by 4.5m for which the maximum height would be 3.7m and for which the height of the eaves would be 2.4m		
Application No.:	ADV/17/01292	Application Type:	Advertisement Consent
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	21/12/2017	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Mr R Byrne	Agent:	Specsavers
Location:	183-185 TELEGRAPH ROAD, HESWALL, CH60 7SE		
Proposal:	Installation of new signage.		
Application No.:	APP/17/01300	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	14/12/2017	Decision:	Approve
Case Officer:	Mr C Smith		
Applicant:	Dr Wright	Agent:	ArchitectFolk
Location:	Dawpool Reach, 2 CROFT DRIVE WEST, CALDY, CH48 2JG		
Proposal:	Double and single storey extensions to the front, side and rear of existing dwelling. Landscaping works and a proposed detached garage.		

Application No.:	APP/17/01307	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	20/12/2017	Decision:	Approve
Case Officer:	Mr C Smith		
Applicant:	Mr Russell	Agent:	
Location:	7 MEOLS DRIVE, HOYLAK, CH47 4AD		
Proposal:	Demolition of existing double garage and replacement summerhouse		
Application No.:	OUT/17/01309	Application Type:	Outline Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	12/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Sippdeal Trustees Limited	Agent:	SHACK Architecture ltd
Location:	Grange Villa, 1 ROCKY LANE, HESWALL, CH60 0BY		
Proposal:	Outline application for demolition of existing building and construction of five apartments		
Application No.:	APP/17/01311	Application Type:	Full Planning Permission
Ward:	Oxton	Decision Level:	Delegated
Decision Date:	22/12/2017	Decision:	Approve
Case Officer:	Mr C Smith		
Applicant:	Mr & Mrs Smith	Agent:	JLArchitectonics
Location:	44 FARNDON WAY, OXTON, CH43 2NP		
Proposal:	Rear garage conversion with new extension providing link from existing house		
Application No.:	APP/17/01312	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	21/12/2017	Decision:	Approve
Case Officer:	Mr C Smith		
Applicant:	Beck	Agent:	Mr Bates
Location:	5 IRBY ROAD, HESWALL, CH61 6UX		
Proposal:	Rear Extension(amended).		
Application No.:	APP/17/01313	Application Type:	Full Planning Permission
Ward:	Moreton West and Saughall Massie	Decision Level:	Delegated
Decision Date:	06/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr White	Agent:	Mr Carney
Location:	Unused Land (Grassed), MEADOWBROOK ROAD, MORETON		
Proposal:	New Build Bungalow - amendment to 16/00331		

Application No.:	ADV/17/01314	Application Type:	Advertisement Consent
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	06/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	B and M	Agent:	Sapphire Signs
Location:	Unit 2, Rock Retail Park, MOLLINGTON LINK, TRANMERE, CH41 9DF		
Proposal:	New sign to front elevation		
Application No.:	LBC/17/01315	Application Type:	Listed Building Consent
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	05/01/2018	Decision:	Approve
Case Officer:	Mrs J Malpas		
Applicant:	Ms Woods	Agent:	Ellipta Ltd
Location:	47 BEBINGTON ROAD, NEW FERRY, CH62 5BG		
Proposal:	Reinstatement of the internal damaged elements: plastering, joinery, M&E, decorations and internal fixtures and fittings following an explosion in nearby premises.		
Application No.:	APP/17/01316	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	07/12/2017	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Abyssinia Kitchen	Agent:	
Location:	186 PENSBY ROAD, HESWALL, CH60 7RJ		
Proposal:	Change of use to restaurant (Use Class A3).		
Application No.:	APP/17/01319	Application Type:	Full Planning Permission
Ward:	Moreton West and Saughall Massie	Decision Level:	Delegated
Decision Date:	07/12/2017	Decision:	Approve
Case Officer:	Mrs S Williams		
Applicant:	Mr & Mrs Bennett	Agent:	Cabana architecture
Location:	34 DIGG LANE, MORETON, CH46 6AQ		
Proposal:	Erection of a single storey rear extension		
Application No.:	APP/17/01321	Application Type:	Full Planning Permission
Ward:	Greasby Frankby and Irby	Decision Level:	Delegated
Decision Date:	06/12/2017	Decision:	Approve
Case Officer:	Mrs S Williams		
Applicant:	Mr J Harvey	Agent:	Mr N Pickard
Location:	43 GLENWOOD DRIVE, IRBY, CH61 4UQ		
Proposal:	Erection of a single storey side and rear extension		

Application No.:	APP/17/01322	Application Type:	Full Planning Permission
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	06/12/2017	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mrs A Chopra	Agent:	Mr N Pickard
Location:	45 THORNTON ROAD, HIGHER BEBINGTON, CH63 5PR		
Proposal:	Single storey rear extension		
Application No.:	APP/17/01323	Application Type:	Full Planning Permission
Ward:	New Brighton	Decision Level:	Delegated
Decision Date:	18/12/2017	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Emporda Ltd	Agent:	Andrew Smith Architects Ltd
Location:	50 WELLINGTON ROAD, NEW BRIGHTON, CH45 2NF		
Proposal:	Conversion and extension of property into 9 No. apartments		
Application No.:	APP/17/01324	Application Type:	Full Planning Permission
Ward:	Rock Ferry	Decision Level:	Delegated
Decision Date:	18/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	New Wave Installations Cardtronics UK Ltd	Agent:	Des Ager Design and Planning Consultant
Location:	55-57 Rockferry Convenience Store, Old Chester Road, Tranmere, Birkenhead, CH41 9AW		
Proposal:	Retention of an ATM		
Application No.:	ADV/17/01325	Application Type:	Advertisement Consent
Ward:	Rock Ferry	Decision Level:	Delegated
Decision Date:	18/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	New Wave Installations Cardtronics UK Ltd	Agent:	Des Ager Design and Planning Consultant
Location:	55-57 Rockferry Convenience Store, Old Chester Road, Tranmere, Birkenhead, CH41 9AW		
Proposal:	Retention of ATM fascia and signs		
Application No.:	APP/17/01326	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	22/12/2017	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Mr & Mrs Taylor	Agent:	Mr Matthews
Location:	40 CALDY ROAD, WEST KIRBY, CH48 2HQ		
Proposal:	Demolition of existing dormer bungalow and erection of new dwelling, attached garage and detached store		

Application No.: APP/17/01327 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 07/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr & Mrs J.J Jeonney **Agent:** Mr R Vickers
Location: 14 GORSEFIELD AVENUE, EASTHAM, CH62 6BZ
Proposal: Extension to dwelling.

Application No.: APP/17/01328 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 20/12/2017 **Decision:** Refuse
Case Officer: Mr K Spilsbury
Applicant: Mrs M Wooley **Agent:**
Location: 8 NEWHAVEN ROAD, NEW BRIGHTON, CH45 1HS
Proposal: Loft Conversion with rear dormer.

Application No.: APP/17/01329 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Liscard Business Centre **Agent:** Philip Seddon Associates
Location: Liscard Business Centre, 188 LISCARD ROAD, LISCARD, WIRRAL, CH44 5TN
Proposal: Application for installation of 1no new air conditioning unit

Application No.: LBC/17/01333 **Application Type:** Listed Building Consent
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 22/12/2017 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr C Jarrey **Agent:**
Location: 14 ARNO ROAD, OXTON, CH43 5SL
Proposal: New roof with internal alterations

Application No.: APP/17/01335 **Application Type:** Full Planning Permission
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Refuse
Case Officer: Miss A McDougall
Applicant: Mr Bradley **Agent:** Spatial 3D
Location: 58 CHRISTCHURCH ROAD, OXTON, CH43 5SF
Proposal: Replacement of existing timber windows with UPVC windows to front & rear elevations and the replacement of 1 roof light and replacement roof.

Application No.: APP/17/01336 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 11/12/2017 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Terrie Staples **Agent:** Bryson Architecture
Location: 10 HEADLAND CLOSE, WEST KIRBY, CH48 3JP
Proposal: Single-storey front extension, loft conversion with front and rear dormer windows and external alterations.

Application No.: APP/17/01337 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 18/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr Sharp **Agent:** Collins Architecture
Location: 8 BANKS ROAD, HESWALL, CH60 9JS
Proposal: Single storey side and rear extension

Application No.: ADV/17/01343 **Application Type:** Advertisement Consent
Ward: Bebington **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mitchells & Butlers **Agent:** Morgan Signs & Design Ltd
Location: The Acorn, VILLAGE ROAD, HIGHER BEBINGTON, CH63 8PT
Proposal: New signage to replace the existing.

Application No.: APP/17/01347 **Application Type:** Full Planning Permission
Ward: Prenton **Decision Level:** Delegated
Decision Date: 18/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr Doswell **Agent:**
Location: 169 WATERPARK ROAD, PRENTON, CH43 0TJ
Proposal: Build a garage 6m long and 3.5m wide, with a single pitch roof, constructed of the same type brick as the current dwelling, to be in keeping with the property

Application No.: APP/17/01348 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mr Chang **Agent:** ArchitectFolk
Location: 1 CROOME DRIVE, NEWTON, CH48 8AD
Proposal: Erection of a single storey side extension and new roof above existing conservatory

Application No.: APP/17/01349 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 19/12/2017 **Decision:** Refuse
Case Officer: Mr C Smith
Applicant: Mr Price **Agent:**
Location: 62 SANDY LANE, WEST KIRBY, CH48 3JA
Proposal: Resubmission: Proposed double and single storey rear extension.

Application No.: APP/17/01350 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mrs J Higgins **Agent:** Mr P Hale
Location: 37 LEIGHTON AVENUE, MEOLS, CH47 0LY
Proposal: Erection of first-floor side extension and single-storey rear extension

Application No.: APP/17/01351 **Application Type:** Full Planning Permission
Ward: Oxtan **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr D Fletcher **Agent:** Jones & Wathen Ltd.
Location: 268 WOODCHURCH ROAD, PRENTON, CH43 5UT
Proposal: Single storey side extension.

Application No.: APP/17/01352 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 19/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr J Macfarlane **Agent:**
Location: 58 BRACKEN LANE, HIGHER BEBINGTON, CH63 2LZ
Proposal: Internal alterations to existing premises. Construct new garage.

Application No.: APP/17/01356 **Application Type:** Full Planning Permission
Ward: Oxtan **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Ghosh Medical Ltd **Agent:** Forward Planning
Location: The Barns, 5 VILLAGE ROAD, OXTON
Proposal: Change of use of part of building from Use Class B1 to Use Class D1 (for beauty and non-surgical aesthetic work)

Application No.: COMX/17/01360 **Application Type:** Prior Approval Commercial PD
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Prior approval is not required
Case Officer: Mr N Williams
Applicant: Mr P Hetherington **Agent:**
Location: 17B BALLS ROAD, OXTON, CH43 5RF
Proposal: Notification for prior approval for a proposed change of use of a building from office use (Class B1(a)) to a dwellinghouse (Class C3)

Application No.: APP/17/01361 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Withdrawn
Case Officer: Mrs S Lacey
Applicant: Miss J Lloyd **Agent:**
Location: 20 CLYDESDALE ROAD, HOYLAK, CH47 3AP
Proposal: Proposed two-storey extension to the side of the property, a single-storey extension to the rear of the property and to convert the existing loft space into a habitable area with rear dormer window.

Application No.: APP/17/01362 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 11/12/2017 **Decision:** Withdrawn by Applicant
Case Officer: Mr C Smith
Applicant: Mr Spence **Agent:**
Location: 7 WARREN ROAD, HOYLAK, CH47 2AR
Proposal: Retrospective planning application to remove front brick boundary wall and create Tarmac driveway.

Application No.: RESX/17/01364 **Application Type:** Prior Approval Householder PD
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Prior Approval Given
Case Officer: Mrs S Lacey
Applicant: Mr M Pollock **Agent:** MDA
Location: 104 NEWTON CROSS LANE, NEWTON, CH48 9XQ
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4m for which the maximum height would be 3.95m and for which the height of the eaves would be 2.8m

Application No.: APP/17/01365 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr Murphy **Agent:**
Location: The Beeches, 98A BROOKHURST ROAD, BROMBOROUGH, CH63 0ES
Proposal: To build double garage as per plans attached.

Application No.:	APP/17/01366	Application Type:	Full Planning Permission
Ward:	Upton	Decision Level:	Delegated
Decision Date:	12/12/2017	Decision:	Refuse
Case Officer:	Miss A McDougall		
Applicant:	Design Planning	Agent:	Design Planning
Location:	Alwood Farm, FORD LANE, UPTON, CH49 0TT		
Proposal:	Alteration and extension to the existing building		
Application No.:	RESX/17/01370	Application Type:	Prior Approval Householder PD
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	11/12/2017	Decision:	Prior approval is not required
Case Officer:	Mr C Smith		
Applicant:	Mr N Wallace-Jones	Agent:	Collins Architecture
Location:	7 DIBBINS GREEN, BROMBOROUGH, CH63 0QF		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 7.88m for which the maximum height would be 3.9m and for which the height of the eaves would be 2.99m		
Application No.:	APP/17/01371	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	21/12/2017	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr M Burke	Agent:	Major Design Partnership
Location:	9 DONNE AVENUE, SPITAL, CH63 9YH		
Proposal:	Single storey extensions to front and rear of dwelling.		
Application No.:	APP/17/01373	Application Type:	Full Planning Permission
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	21/12/2017	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:	Glen Affric Brewery Limited	Agent:	
Location:	Unit 3, Lightbox, KNOX STREET, BIRKENHEAD, CH41 5JW		
Proposal:	Variation of Condition 3 to allow the following opening hours: Friday 1700-2200 hours Saturday 1600-2200 hours Sunday 1100-1700 hours to match the Premises License hours: Monday-Thursday 1700-2300 hours Friday 1500-2300 hours Saturday 1100-2300 hours Sunday 1100-1700 hours		
Application No.:	APP/17/01377	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	08/01/2018	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	4Th Birkenhead Scouts	Agent:	Jones & Wathen Ltd.
Location:	Prenton Methodist Church, GLENAVON ROAD, PRENTON, CH43 0RB		
Proposal:	Prefabricated storage building.		

Application No.: APP/17/01378 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 20/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr O Gatehouse **Agent:** Jones & Wathen Ltd.
Location: 2 BRIAR DRIVE, HESWALL, WIRRAL, CH60 5RN
Proposal: Two storey side extension, single and two storey rear extension.

Application No.: APP/17/01381 **Application Type:** Full Planning Permission
Ward: Birkenhead and
Tranmere **Decision Level:** Delegated
Decision Date: 02/01/2018 **Decision:** Approve
Case Officer: Mrs S Williams
Applicant: Mr Jackson **Agent:** Mr McHugh
Location: 119 PRICE STREET, BIRKENHEAD, CH41 3PG
Proposal: Retrospective application for proposed fencing to front garden area

Application No.: APP/17/01382 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Miss Shaw **Agent:** Mr Lear
Location: 28 SUNNINGDALE DRIVE, BROMBOROUGH, CH63 0JE
Proposal: Proposed single storey front extension

Application No.: APP/17/01385 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and
Irby **Decision Level:** Delegated
Decision Date: 20/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr Watt **Agent:** John McCall Architects
Location: 6 SHAW LANE, GREASBY, CH49 3PD
Proposal: Removal of window and door from the rear wall, and demolition of the conservatory. Side extension to existing kitchen with pitched roof over and new folding doors to the rear. Demolition of existing garage to be replaced with new timber summer house and store room shed.

Application No.: APP/17/01391 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 20/12/2017 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Whitehead **Agent:** LHGProjects
Location: 5 GREENLEA CLOSE, BEBINGTON, CH63 7RU
Proposal: First floor extension over ground floor utility room and bedroom

Application No.:	APP/17/01393	Application Type:	Full Planning Permission
Ward:	Liscard	Decision Level:	Delegated
Decision Date:	03/01/2018	Decision:	Approve
Case Officer:	Mr C Smith		
Applicant:	Mr Parkinson	Agent:	
Location:	25 EGREMONT PROMENADE, EGREMONT, CH44 8BG		
Proposal:	Proposed raised decking area with associated screening.		
Application No.:	APP/17/01394	Application Type:	Full Planning Permission
Ward:	Cloughton	Decision Level:	Delegated
Decision Date:	20/12/2017	Decision:	Approve
Case Officer:	Mrs S Day		
Applicant:	Diocese of Shrewsbury	Agent:	AEW Architects
Location:	2 BERYL ROAD, NOCTORUM, CH43 9RT		
Proposal:	Demolition of existing two-storey dwelling on site. - Construction of two-storey residential building containing 4no. flats (with a total internal area of approximately 282m) complete with 4no. parking spaces and landscaping. - The flats will be for retired priests.		
Application No.:	APP/17/01395	Application Type:	Full Planning Permission
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	15/12/2017	Decision:	Withdrawn
Case Officer:	Mrs MA Jackson		
Applicant:	Mr Lomas	Agent:	jcplans
Location:	134 PRINCES BOULEVARD, HIGHER BEBINGTON, CH63 5LP		
Proposal:	Loft conversion project - (i) Addition of flat roof dormer to rear elevation (ii) new gable wall to the side elevation, to replace a hipped roof section with a duo-pitched roof, (iii) addition of roof lights to the roof slope of the front elevation.		
Application No.:	APP/17/01396	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	21/12/2017	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr & Mrs Heaney	Agent:	Bromilow Architects Ltd
Location:	6 PARKWAY CLOSE, IRBY, CH61 3XL		
Proposal:	Proposed two storey side extension and single storey rear extension to property		
Application No.:	APP/17/01397	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	12/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Wirral Club Ltd	Agent:	AFL Architects
Location:	Wirral Rugby and Cricket Club, THORNTON COMMON ROAD, THORNTON HOUGH, CH63 4JU		
Proposal:	2-storey rear extension to existing club house building, balcony viewing platform and conversion of existing vacant roof space into additional accommodation.		

Application No.: APP/17/01398 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mr C Smith
Applicant: Mr & Mrs Gardner **Agent:** Bromilow Architects Ltd
Location: 8 WESTBOURNE GROVE, WEST KIRBY, CH48 4DL
Proposal: Proposed side extension to existing bungalow including new small pitched roof over front entrance.

Application No.: APP/17/01405 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Lynn Jones **Agent:** Mr Goddard
Location: 24 TARBOT HEY, MORETON, CH46 6EG
Proposal: Side Extension

Application No.: RESX/17/01406 **Application Type:** Prior Approval Householder PD
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 18/12/2017 **Decision:** Prior approval is not required
Case Officer: Mr C Smith
Applicant: Mr & Mrs Gosling **Agent:** The Kenefick Jones Partnership
Location: 41 GWENDOLINE CLOSE, THINGWALL, CH61 1DJ
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 3.55m for which the maximum height would be 3.481m and for which the height of the eaves would be 2.555m

Application No.: APP/17/01409 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 12/12/2017 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Limewalk Properties Ltd **Agent:** Collins Architecture
Location: Land adjacent to Brackenwood, COLUMN ROAD, NEWTON, CH48 1LH
Proposal: Proposed erection of a two storey detached house

Application No.: APP/17/01411 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 22/12/2017 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr Kelly **Agent:**
Location: The Old Bakehouse, GAYTON FARM ROAD, GAYTON, CH60 8NN
Proposal: minor alterations and extension to kitchen

Application No.: APP/17/01413 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 08/01/2018 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Barnstondale Centre **Agent:** Garry Usherwood Associates Limited
Location: Barnstondale Centre, STORETON LANE, BARNSTON, CH61 1BX
Proposal: Variation of Condition 2 APP/15/00434, amendment of design.

Application No.: APP/17/01414 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 22/12/2017 **Decision:** Approve
Case Officer: Mr C Smith
Applicant: Mr & Mrs Gibbs **Agent:** Mr Goddard
Location: 463 PENSBY ROAD, THINGWALL, CH61 9PQ
Proposal: Side and rear extension to ground and first floor

Application No.: APP/17/01417 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Clerc **Agent:** dowelldesignservices
Location: 47 BEACON DRIVE, NEWTON, CH48 7EB
Proposal: SINGLE STOREY EXTENSION AT REAR

Application No.: LBC/17/01418 **Application Type:** Listed Building Consent
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Approve
Case Officer: Mrs J Malpas
Applicant: Mrs Jones **Agent:** Paddock Johnson Partnership
Location: 32 PRIMROSE HILL, PORT SUNLIGHT, CH62 5EW
Proposal: Retrospective application for forming of archway

Application No.: APP/17/01424 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 03/01/2018 **Decision:** Approve
Case Officer: Mr C Smith
Applicant: Camco Estates Ltd. **Agent:** Ainsley Gommon Architects
Location: 1 Charter House, CHURCH STREET, EGREMONT, CH44 8AS
Proposal: New ground floor entrance lobby extension to existing residential block of flats and extended bin storage areas, including new ramp access.

Application No.:	APP/17/01425	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	22/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Caverdale Estates Ltd	Agent:	Edward Landor Associates
Location:	36 JUBILEE DRIVE, WEST KIRBY, CH48 5EF		
Proposal:	Construction of a single dwelling on land adjacent to 36 Jubilee Drive		
Application No.:	APP/17/01426	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	22/12/2017	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr Khanijau	Agent:	KJP Architecture
Location:	Land at The Lydiate, Lower Heswall, CH60 8PR		
Proposal:	Amended house design and re-siting of Plot 1 of the Approval Scheme APP/15/01182		
Application No.:	ADV/17/01429	Application Type:	Advertisement Consent
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	02/01/2018	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Insite Poster Properties Ltd.	Agent:	
Location:	Land at Abbey House, 2 ABBEY STREET, BIRKENHEAD, CH41 5JU		
Proposal:	Replacement of 2no. existing illuminated 96-sheet advertising displays with 1no. 48-sheet digital advertising display		
Application No.:	APP/17/01430	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	03/01/2018	Decision:	Approve
Case Officer:	Mrs S Williams		
Applicant:	Mr & Mrs O'Brien	Agent:	Lightblue Solutions Ltd
Location:	Tower Lodge, 9 TOWER ROAD NORTH, HESWALL, CH60 6RT		
Proposal:	Re-submission of previously approved application APP/17/00389 to incorporate rear facing gable and revised glazing.		
Application No.:	APP/17/01432	Application Type:	Full Planning Permission
Ward:	Wallasey	Decision Level:	Delegated
Decision Date:	03/01/2018	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Mr & Mrs Wilson	Agent:	pdv design ltd
Location:	6 RUGBY ROAD, LISCARD, CH44 2BA		
Proposal:	Proposed single storey rear kitchen extension. Proposal includes partial demolition of existing garage and linking new extension to garage.		

Application No.: APP/17/01433 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 08/01/2018 **Decision:** Approve
Case Officer: Mr C Smith
Applicant: Mr Rix **Agent:** ArchiPhonic
Location: 45 BYRNE AVENUE, ROCK FERRY, CH42 4PG
Proposal: To erect a two storey extension to side of dwellinghouse with associated works.

Application No.: RESX/17/01444 **Application Type:** Prior Approval Householder PD
Ward: Heswall **Decision Level:** Delegated
Decision Date: 21/12/2017 **Decision:** Prior approval is not required
Case Officer: Mrs S Lacey
Applicant: Mr David Jones **Agent:** Collins Architecture
Location: 47 IRBY ROAD, HESWALL, CH61 6UY
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.98m for which the maximum height would be 3.7m and for which the height of the eaves would be 2.90m.

Application No.: APP/17/01452 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 08/01/2018 **Decision:** Approve
Case Officer: Mr C Smith
Applicant: Mr Clifford Ryan **Agent:**
Location: Land off STATION ROAD, THURSTASTON, CH61 0HN
Proposal: An entrance to our land from Station Road, access drive surfaced with a hard bound porous material with gates.

Application No.: RESX/17/01482 **Application Type:** Prior Approval Householder PD
Ward: Heswall **Decision Level:** Delegated
Decision Date: 03/01/2018 **Decision:** Prior approval is not required
Case Officer: Mrs MA Jackson
Applicant: Ms Philipps **Agent:** The Kenefick Jones Partnership
Location: 22 LATCHFORD ROAD, GAYTON, CH60 3RW
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 3.6m for which the maximum height would be 3.683m and for which the height of the eaves would be 2.665m, and internal alterations.

Summary of data

	Total Per D
Approve	87
Prior Approval Given	1
Prior approval is not required	6
Refuse	9
Withdrawn	3
Withdrawn by Applicant	2
Report Total	108

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**Planning Appeals Decided
Between 01/10/2017 and 31/12/2017**

Allowed

Application No.: APP/16/01372	Application Type: APP	Ward: Birkenhead and Tranmere
Case Officer: Mr K Spilsbury	Council Decision: Refuse	Decision Level: Planning Committee
Applicant: Mr S Ahmed	Agent: SDA Architecture Limited	
Location: Dickie Lewiss Sports Bar, 1 OXTON ROAD, BIRKENHEAD, CH41 2QQ		
Proposal: Change of use from public house with residential accomodation above to two commercial units (A1 - Retail and A3 - Restaurant) at ground floor and 12 HMO bedsits on first and second floor (amended description).		
Appeal Ref.: 3181358	Appeal Type: Appeal against refusal	
Appeal Decision: Allowed	Decision Date: 12/12/2017	

Application No.: APP/17/00316	Application Type: APP	Ward: Heswall
Case Officer: Mrs MA Jackson	Council Decision: Refuse	Decision Level: Delegated
Applicant: Mr & Mrs Rowlands	Agent: Town and Country Planning Services Conwy	
Location: 38 SEABANK ROAD, HESWALL, CH60 4SW		
Proposal: Proposed 'wrap-around' extension consisting of a single storey extension across the front, a two-storey extension to the side, and a single storey extension across the rear.		
Appeal Ref.: 3182659	Appeal Type: Appeal against refusal	
Appeal Decision: Allowed	Decision Date: 31/10/2017	

Application No.: APP/17/01042	Application Type: APP	Ward: Heswall
Case Officer: Mr C Smith	Council Decision: Refuse	Decision Level: Delegated
Applicant: Mr A Nevile	Agent: C W Jones	
Location: 72B MILNER ROAD, HESWALL, CH60 5SA		
Proposal: Two storey side and rear extension. Single storey rear and front extension.		
Appeal Ref.: 3188674	Appeal Type: Appeal against refusal	
Appeal Decision: Allowed	Decision Date: 19/12/2017	

**Planning Appeals Decided
Between 01/10/2017 and 31/12/2017**

Dismissed

Application No.: APP/17/00647 **Application Type:** APP **Ward:** Bidston and St James

Case Officer: Miss A McDougall **Council Decision:** Refuse **Decision Level:** Planning Committee

Applicant: Mr M Gopinath **Agent:** Rivergate Limited

Location: 231-231A BECKWITH STREET, BIRKENHEAD, CH41 4HW

Proposal: Change of use from car repair garage to a convenience grocery store and off licence.

Appeal Ref.: 3182589 **Appeal Type:** Appeal against refusal

Appeal Decision: Dismissed **Decision Date:** 20/12/2017

Application No.: APP/17/00409 **Application Type:** APP **Ward:** Bromborough

Case Officer: Miss A McDougall **Council Decision:** Refuse **Decision Level:** Delegated

Applicant: Arnwood Properties **Agent:** Ainsley Gommon Architects

Location: Former Factory Car Park, SOUTH VIEW, BROMBOROUGH POOL VILLAGE, WIRRAL.

Proposal: Erection of a new two storey building, Convenience Store for Bromborough Pool Village on the ground floor and a 2 Bed 4 Person Flat on the first floor. Building is to be located on a currently vacant former factory employees car-park.

Appeal Ref.: 3178763 **Appeal Type:** Appeal against refusal

Appeal Decision: Dismissed **Decision Date:** 19/10/2017

Application No.: APP/17/00184 **Application Type:** APP **Ward:** Greasby Frankby and Irby

Case Officer: Mr C Smith **Council Decision:** Refuse **Decision Level:** Delegated

Applicant: Mrs S Bailey **Agent:** Pride Road Manchester South

Location: 81 WOOD LANE, GREASBY, CH49 2PX

Proposal: Erection of 2 storey side extension providing accommodation for ground floor living/dining room and laundry and wc and first floor bedroom and dressing room and associated alterations

Appeal Ref.: 3179118 **Appeal Type:** Appeal against refusal

Appeal Decision: Dismissed **Decision Date:** 06/10/2017

**Planning Appeals Decided
Between 01/10/2017 and 31/12/2017**

Application No.: APP/16/01237 **Application Type:** APP **Ward:** Eastham

Case Officer: Mr N Williams **Council Decision:** Refuse **Decision Level:** Delegated

Applicant: Mr B Evans **Agent:** PWE Design

Location: Land between 36 and 52/54 STANLEY LANE, EASTHAM, CH62 0AG

Proposal: Detached new dwelling

Appeal Ref.: 3180111 **Appeal Type:** Appeal against refusal

Appeal Decision: Dismissed **Decision Date:** 13/12/2017

Grand Total: 7

	Total
Allowed	3 42%
Dismissed	4 57%
Total	7 100%

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