



Planning Committee

Date:	Thursday, 18 August 2016
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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1. MINUTES (Pages 1 - 12)

To approve the accuracy of the minutes of the meeting held on 21 July 2016.

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/16/00196: GREENLEAVES, 26 WOODLANDS DRIVE, BARNSTON, CH61 1AL - AMENDMENTS TO PREVIOUSLY APPROVED APPLICATION - APP/11/00492 - ERECTION OF SIDE AND REAR EXTENSIONS - AMENDED DESIGN (Pages 13 - 16)

5. APP/16/00403: 15 GROSVENOR ROAD, BIRKENHEAD, CH43 4UR - TWO STOREY SIDE EXTENSION AND DETACHED GARAGE WITH ACCESS ROAD (Pages 17 - 22)

6. APP/16/00422: LAND ADJACENT TO ST PETERS CE PRIMARY SCHOOL, THURSTASTON ROAD, HESWALL, CH60 4SA - PROPOSED ERECTION OF 4 NO. RESIDENTIAL UNITS AS RE-DESIGN OF APP/14/01341 (AMENDED PLANS RECEIVED AMENDED ACCESS AND REDUCE PLOT TO 4 DWELLINGS) (Pages 23 - 30)

7. **APP/16/00511: LAND ADJACENT TO 103 PIPERS LANE, HESWALL, CH60 9HR - NEW BUILD DWELLING AT LAND ADJACENT 103 PIPERS LANE (Pages 31 - 36)**
8. **APP/16/00634: LAND AT THE REAR OF WHITE-HAVEN, 8 HERON ROAD, MEOLS, CH47 9RU - NEW BUILD RESIDENTIAL BUNGALOW DEVELOPMENT AT THE REAR OF 8 HERON ROAD (Pages 37 - 42)**
9. **APP/16/00684: 47 HEATH ROAD, BEBINGTON, CH63 3BP - PROPOSED TWO-STOREY AND SINGLE-STOREY REAR EXTENSION (Pages 43 - 46)**
10. **APP/16/00693: 2 GIRTRELL ROAD, UPTON, CH49 4LQ - ERECTION OF THREE BEDROOM DETACHED HOUSE TO REAR OF GARDEN (Pages 47 - 52)**
11. **APP/16/00694: HURSTWOODS INTERNATIONAL LTD, ALEXANDRA ROAD, NEW BRIGHTON, CH45 OJZ - ERECTION OF 2 NO. FOUR-STOREY 80-BED RESIDENTIAL CARE HOMES WITH ASSOCIATED EXTERNAL WORKS AND LANDSCAPING AFTER DEMOLITION OF EXISTING FOOD PROCESSING FACTORY AND ASSOCIATED BUILDINGS (Pages 53 - 64)**
12. **APP/16/00859: 301 GREASBY ROAD, GREASBY, CH49 2PQ - ERECTION OF TWO STOREY SIDE AND REAR EXTENSION (Pages 65 - 68)**
13. **APP/16/00965: 48 BROWNING AVENUE, ROCK FERRY, CH42 2DF - SINGLE STOREY EXTENSION (RETROSPECTIVE WORKS) (Pages 69 - 72)**
14. **REMOVAL OF REQUIREMENT FOR A SECTION 106 LEGAL AGREEMENT FOR THE PROVISION OF AFFORDABLE HOUSING ON APP/14/01198 – ERECTION OF 10 DWELLINGS ON LAND ADJACENT TO THE RECTORY, MARK RAKE, BROMBOROUGH (Pages 73 - 88)**
15. **REMOVAL OF REQUIREMENT FOR A SECTION 106 LEGAL AGREEMENT FOR THE PROVISION OF AFFORDABLE HOUSING ON OUT/15/00977 – ERECTION OF 10 DWELLINGS ON LAND OFF LEASOWE ROAD, WALLASEY VILLAGE (Pages 89 - 102)**
16. **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 09/07/2016 AND 05/08/2016 (Pages 103 - 122)**

17. EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

18. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR

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PLANNING COMMITTEE

Thursday, 21 July 2016

Present:

Councillor A Leech (Chair)

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

Deputy:

Councillor W Clements (In place of K Hodson)

21 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 21 July 2016.

Resolved – That the minutes be approved.

22 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked whether they had 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.

Councillors D Elderton and I Lewis declared a prejudicial interest in connection with Item 12 on the agenda (Cleaver Residential Home) – minute 32 refers – by virtue of having received hospitality at the premises.

Councillor S Foulkes declared a prejudicial interest in connection with Item 13 on the agenda (47 Heath Road, Bebington) – minute 33 refers – by virtue of being acquainted with an objector.

Councillor S Foulkes declared a personal interest in connection with an application listed within Item 16 on the agenda (Planning Applications Decided Under Delegated Powers) – minute 36 refers – by virtue of being Board Director of Majenta Homes.

23 **REQUESTS FOR SITE VISITS**

Councillor S Foulkes declared a prejudicial interest in respect of planning application APP/16/00684 and took no part in the decision to request a site visit (minute 22 refers).

The following site visits were unanimously approved:

APP/16/00511: LAND ADJACENT TO 103 PIPERS LANE, HESWALL, CH60 9HR - NEW BUILD DWELLING AT LAND ADJACENT 103 PIPERS LANE.

APP/16/00634: LAND AT THE REAR OF WHITE-HAVEN, 8 HERON ROAD, MEOLS, CH47 9RU - NEW BUILD RESIDENTIAL BUNGALOW DEVELOPMENT AT THE REAR OF 8 HERON ROAD.

APP/16/00684: 47 HEATH ROAD, BEBINGTON, CH63 3BP - PROPOSED TWO-STOREY AND SINGLE-STOREY REAR EXTENSION.

APP/16/00693: 2 GIRTRELL ROAD, UPTON, CH49 4LQ - ERECTION OF THREE BEDROOM DETACHED HOUSE TO REAR OF GARDEN.

- 24 **APP/16/00489: 28A TARRAN WAY WEST, MORETON, WIRRAL CH46 4TZ - CHANGE OF USE FROM USE CLASS B1 TO SUI GENERIS TO ENABLE A DOG DAY CARE CENTRE**

The Assistant Chief Executive submitted the above application for consideration.

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

Resolved – 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. No more than 30 dogs shall be allowed on the premises at any time, with no more than 10 of those allowed in the outside yard area at any one time.**
- 3. No development shall take place until details of a noise insulation scheme to the building has been submitted to and approved in writing. The scheme as agreed shall be implemented before the dog day care centre comes into use and shall be permanently retained thereafter.**

- 25 **APP/16/00511: LAND ADJACENT TO 103 PIPERS LANE, HESWALL, CH60 9HR - NEW BUILD DWELLING AT LAND ADJACENT 103 PIPERS LANE**

Resolved – That consideration of this item be deferred for a formal site visit.

- 26 **APP/16/00522: ASDA STORES LTD, WOODCHURCH ROAD, WOODCHURCH, CH49 5PD - CONSTRUCTION OF A FOUR PUMP (EIGHT FILLING POSITION) FULLY AUTOMATED PETROL FILLING STATION WITHIN THE CURTILAGE OF THE EXISTING STORE; TO INCLUDE FUEL STORAGE TANKS, ASSOCIATED PIPEWORK, OVERHEAD CANOPY, FORECOURT SURFACING, AIR AND WATER UNIT AND RECONFIGURATION OF CAR PARKING BAYS**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the meeting.

On a motion by Councillor P Cleary and seconded by Councillor I Lewis it was –

Resolved (9:4) – That the application be refused for the following reason:

1. The development proposed is likely to result in an increased use of the site which, together with the loss of 44 parking spaces, would be unsatisfactory and undesirable having regard to the likely additional vehicular traffic generated, exacerbating local highway problems of congestion, particularly during peak periods of operation, which would result in a hazard for road users both along Woodchurch Road and within the site itself. The development proposed would therefore result in a source of unacceptable levels of traffic movements and congestion along an already busy road which would be to the detriment of the amenities of the locality.
- 27 **APP/16/00543: LAND AT PORT CAUSEWAY, BROMBOROUGH, WIRRAL, CH62 4SQ - DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A FOODSTORE, CAR PARK, SERVICING, ACCESS AND LANDSCAPING.**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee.

It was moved by Councillor P Cleary and seconded by Councillor S Kelly that –

“The application be refused.”

The motion was put and lost (2:11).

On a motion by Councillor D Realey and seconded by Councillor I Lewis it was –

Resolved (11:2) - 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. 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.
 3. 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 foot ways, street lighting, surface water drainage, traffic signs, road markings, tactile paved pedestrian crossings, street furniture and access onto the adjacent highway has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA 's written approval prior to the commencement of the development.
 4. Surface water drainage works shall be carried out in accordance with the details contained within the submitted documents listed below and approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority:
 - Email from P. Starbutts to L. Makeating on 27/05/2016 at 09.16 regarding surface water management arrangements
 - Email from P. Starbutts to L. Makeating on 27/05/2016 at 09.56 regarding maintenance arrangements
 - GeoEnvironmental Investigation, Port Sunlight, Bromborough, December 2014, REF: A0680/R1/V1
 - Aldi - Bromborough Rainfall Profiles (8295 Discharge Calculations)
 - Aldi Store, Chester New Road, Bromborough - Existing Drainage Drawing, Job No. 8295/D/101 Revision. P1, Date: August 2015
 - Aldi Store, Chester New Road, Bromborough - Proposed Drainage
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The surface water drainage scheme shall be fully constructed prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the approved Surface Water Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The sustainable drainage system management and maintenance plan shall be implemented in accordance with the approved details upon completion of the development. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details for its lifetime as agreed under the details of this planning permission.

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- 5. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.**
 - 6. All boundary treatment to be erected, including the positions, design and materials, shall be carried out in accordance with the details shown on the approved plan (Drawing Number 1566NES-107 Rev A). The boundary treatment as approved shall be completed before the building hereby approved is first brought into use.**
 - 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.**
 - 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. 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.**
- 10. The supermarket shall be closed for trade between 22.00 and 08.00 hours Monday to Saturday and between 18.00 and 10.00 hours on Sundays and Bank Holidays.**
- 11. Servicing and deliveries shall not take place between the hours of 22.00 hours and 06.00 hours Monday to Saturday and 18.00 hours and 10.00 hours on Sundays and Bank Holidays. No vehicle shall arrive before the start time or leave after the finish time.**
- 12. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 4th May 2016 and listed as follows: 1555NES-100,V1506 LO1, NES 1555NES-V102D,1555NES-CG101A, 1555NES-V104C, 8295/D/002-P2, 8295/D/101-P1, 8295/D/0002-A1 and V1566LO1B received by the Local Planning Authority on 2nd June 2016**
- 13. Notwithstanding the provisions of the Town and Country Planning (Development Management Procedure) Order 2015 (or any subsequent re-enactment) there shall be no creation of additional floor space, including any mezzanine floor space, within the building hereby permitted as shown on the approved plans. The retail unit shall have gross internal floor space no greater than 1,817 square metres with a net trading area no greater than 1,254 square metres, as shown in the approved drawings. There shall be no sub-division of the building hereby approved.**
- 14. Notwithstanding the provisions of Class A1 of the Schedule to the Town and Country Planning (Use Classes Order) 1987 (or any Order revising,**

revoking or re-enacting that Order) the premises shall only be used for the sale of convenience goods, cold food and drink for consumption off the premises other than ancillary to the principal retail use of the premises. For the purposes of this condition, "ancillary" is defined as not exceeding 20% of net retail floor space for the building hereby approved.

15. Foul and surface water drainage shall be drained on separate systems.
16. NO DEVELOPMENT SHALL TAKE PLACE until details of the level and intensity of lighting within the development, including inside the store hereby approved, has been submitted to and approved in writing by the Local Planning Authority.
17. No removal of any trees, shrubs or hedges or any ground clearance or building work shall be carried out on site between 1 March and 31 August inclusive in any year unless otherwise approved in writing by the Local Planning Authority. If it is necessary to undertake works during the bird breeding season then all trees, shrubs and hedges shall first be checked by an appropriately qualified/experienced ecologist, as agreed with the Local Planning Authority, to ensure no breeding birds are present. In the event of breeding birds being present, full details of mitigation and protection measures shall be submitted to and approved in writing by the Local Planning Authority before any such works commence.

- 28 **APP/16/00550: LAND ADJACENT TO 5 MOUNT OLIVE, OXTON, WIRRAL CH43 5TT - DEVELOPMENT OF 2 NO. TWO STOREY DETACHED FOUR BEDROOM DWELLINGS ON LAND ADJACENT TO 5 MOUNT OLIVE, WITH ASSOCIATED HIGHWAYS AND LANDSCAPING. THE PROPOSED WORKS ALSO INCLUDE THE DEMOLITION OF A SINGLE STOREY DETACHED GARAGE TO CREATE A NEW ACCESS POINT TO THE APPLICATION SITE.**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee.

On a motion by Councillor P Brightmore and seconded by Councillor D Elderton it was:

Resolved – 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 25 April 2016 and listed as follows: 15-175-110 Rev.C, 15-175-120 Rev.B, 15-175-121 Rev.B & 15-175-122 Rev.A.
3. **NO DEVELOPMENT SHALL TAKE PLACE BEFORE** details of all materials to be used in the external construction (facing bricks, roof tiles/slates etc) of this development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved details.
4. **NO DEVELOPMENT SHALL TAKE PLACE BEFORE** details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) there shall be enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof, without the prior written approval of the Local Planning Authority.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no garages, outbuildings or enclosure shall be constructed within the applications site without the prior written approval of the Local Planning Authority.
7. **NO DEVELOPMENT SHALL TAKE PLACE BEFORE** details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to and approved in writing by the Local Planning Authority. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT** the walls (including retaining walls), fences, gates or other means of enclosure shall be

erected as approved and shall thereafter be permanently retained and maintained.

8. **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.
9. **PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT**, 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.
10. **NO WORKS OR DEVELOPMENT SHALL TAKE PLACE BEFORE** a scheme for the protection of the existing trees (other than those the removal of which has been granted express permission in writing by the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. Such a scheme will comply with provisions of BS5837 ("Trees in relation to construction - 1990") and BS3998 ("Recommendations for tree works - 1989"). The approved scheme for the protection of existing trees to be retained shall be implemented **BEFORE DEVELOPMENT COMMENCES** and be maintained in full until the development has been completed.
11. **NO DEVELOPMENT SHALL TAKE PLACE** until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.
12. Any trees or shrubs in connection with the approved landscaping scheme required by Condition 11 that are removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a

similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.

13. The following activities must not be carried out under any circumstances:

- a. No fires to be lit within 20 metres of existing trees and shrubs to be retained.
- b. Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping.
- c. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- d. No builders debris or other materials to be stored within the Root Protection Areas.
- e. No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A dedicated washout area shall be a used and located not within 10 metres of any Root Protection.
- f. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.
- g. No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

29 APP/16/00593: 34 HOYLAKES ROAD, BIDSTON, CH41 7BX - SINGLE STOREY REAR EXTENSION, INTERNAL ALTERATIONS AND NEW SHOP FRONT TO FACILITATE USE AS A GENERAL STORE (AMENDED DESCRIPTION)

The Assistant Chief Executive submitted the above application for consideration.

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

Resolved – 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 22ND April 2016 and listed as follows: 42_2016_01 (Dated 16.03.2016)

3. The premises shall be closed between the hours 23:00 hours and 07:00 hours

- 30 APP/16/00615: HESSLEDALE, BUSH WAY, HESWALL, CH60 9JB - LOFT CONVERSION INCLUDING RAISING THE HIPPED ROOFS TO EITHER SIDE, DORMER EXTENSIONS TO THE FRONT AND REAR AND 1ST FLOOR EXTENSION AT THE FRONT.

The Assistant Chief Executive submitted the above application for consideration.

On a motion by Councillor Elderton and seconded by Councillor Walsh it was:

Resolved – 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 27 April 2016 and dated 20 April 2016.

- 31 APP/16/00634: LAND AT THE REAR OF WHITE-HAVEN, 8 HERON ROAD, MEOLS, CH47 9RU - NEW BUILD RESIDENTIAL BUNGALOW DEVELOPMENT AT THE REAR OF 8 HERON ROAD

Resolved – That consideration of this item be deferred for a formal site visit.

- 32 APP/16/00648: CLEAVER RESIDENTIAL HOME, OLDFIELD ROAD, HESWALL, CH60 6SE - EXISTING REAR SITE LEVELS UPDATED IN RELATION TO APPROVAL REF: APP/13/01294

Councillors D Elderton and I Lewis declared a prejudicial interest in this matter and left the room during its consideration (minute 22 refers).

The Assistant Chief Executive submitted the above application for consideration.

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

Resolved – That the application be approved subject to the following condition:

1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 10th May 2016 and listed as follows: 1271-103-V, 1271-103-S, 1271-300.

- 33 **APP/16/00684: 47 HEATH ROAD, BEBINGTON, CH63 3BP - PROPOSED TWO-STOREY AND SINGLE-STOREY REAR EXTENSION**

Councillor S Foulkes declared a prejudicial interest and took no part in the decision for this matter to be deferred for a formal site visit (minute 22 refers).

Resolved – That consideration of this item be deferred for a formal site visit.

- 34 **APP/16/00693: 2 GIRTRELL ROAD, UPTON, CH49 4LQ - ERECTION OF THREE BEDROOM DETACHED HOUSE TO REAR OF GARDEN**

Resolved – That consideration of this item be deferred for a formal site visit.

- 35 **PLANNING APPEALS DECIDED BETWEEN 01/04/2016 AND 30/06/2016**

The Assistant Chief Executive submitted a report detailing planning appeals decided between 1/4/2016 and 30/6/2016.

Resolved – That the report be noted.

- 36 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 13/06/2016 AND 08/07/2016**

Councillor S Foulkes declared a personal interest in respect of an application listed in this matter (minute 22 refers).

The Assistant Chief Executive submitted a report detailing planning applications decided under delegated powers between 13/6/2016 and 8/7/2016.

Resolved – That the report be noted.

Planning Committee

18 August 2016

Reference:
APP/16/00196

Area Team:
South Team

Case Officer:
Mr K Spilsbury

Ward:
Pensby & Thingwall

Location:

Greenleaves, 26 WOODLANDS DRIVE, BARNSTON, CH61 1AL

Proposal:

Amendments to previously approved application - APP/11/00492 - Erection of side and rear extensions - Amended design.

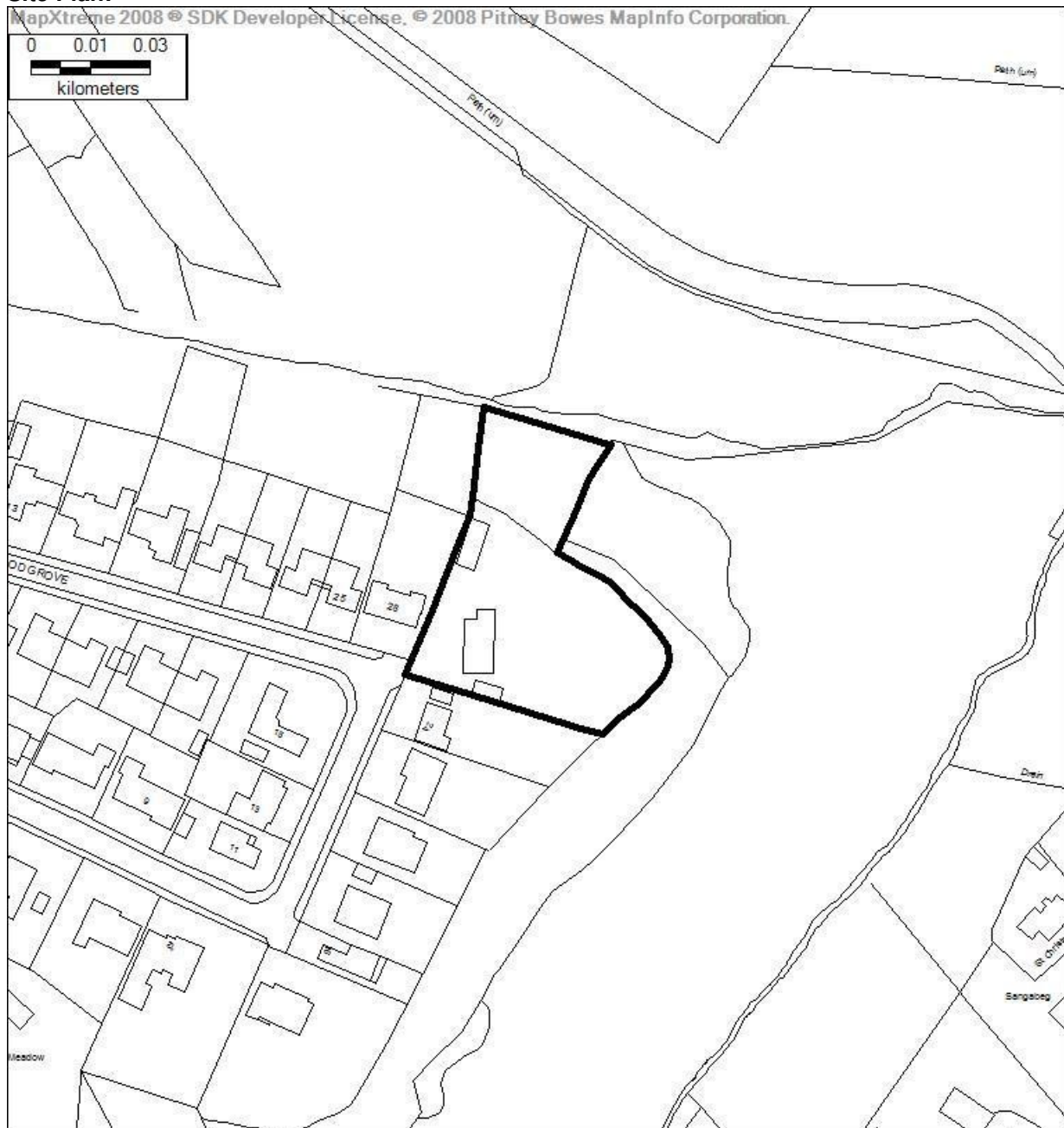
Applicant:

Mr & Mrs McCoy

Agent :

SDA Architecture Limited

Site Plan:



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Development Plan allocation and policies:

Site of Biological Importance
Infill Village in the Green Belt
Green Belt

Planning History:

Location: Greenleaves, 26 WOODLANDS DRIVE, BARNSTON, CH61 1AL
Application Type: Full Planning Permission
Proposal: Loft conversions and extensions
Application No: APP/11/00492
Decision Date: 20/07/2011
Decision Type: Approved

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

Having regard to the Council's Guidance for Publicity on Planning Applications 14 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, two letters of objection have been received from the occupiers of 24 Woodlands Drive and 25 Low Wood Grove. Their objections are summarised as follows:

1. Visible unrendered block work spoils the overall concept of the development;
2. Can be seen from the surrounding properties;
3. The work has been going on for 5 years to the detriment of surrounding properties; and
4. Extension is now quite imposing.

CONSULTATIONS

Wirral Wildlife - no reason to object to the application on wildlife grounds.

Director's Comments:**REASON FOR REFERRAL**

The application is submitted by SDA Architects and Surveyors, a firm of architects with which an elected Member of the Council is very closely connected. Two letters of objection has been received from neighbouring residents. Therefore, having regard to the provisions set out in the Scheme of Delegation for Determining Applications, this application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposed development seeks permission for amendments to a previously approved scheme (APP/11/00492) for the extension of the existing property at the side and rear to provide additional accommodation space and an enlarged kitchen. Since the application was first submitted the proposals have been subsequently amended to provide a more aesthetically acceptable side extension, lowering the ridge height and extending the roof plane to match that of the host dwelling.

PRINCIPLE OF DEVELOPMENT

The development site is located within an infill village within the green belt and is acceptable in principle subject to policy, GB5 and HS11 of Wirral's UDP and the NPPF.

SITE AND SURROUNDINGS

Greenleaves is located on a large corner plot of a small residential close. To the east of the site lies Barnston Dale which is a site of Biological Importance. Properties in the area vary in style and appearance but most are large, detached two storey dwellings set within their own grounds. Greenleaves is set back from the street scene and is centrally located within the plot. The site is surrounded by tall trees and shrubs and two detached garages are located on the boundaries with the neighbouring dwellings providing additional screening from 24 and 28 Woodlands Drive.

POLICY CONTEXT

The proposed development is subject to policy GB5 - Extension of Existing Dwellings in the Green Belt.

Policy GB5 states that the extension of existing dwellings in the Green Belt will be permitted, provided that the floorspace of the resultant dwelling is no more than 50% larger than that of the habitable floorspace of the original dwelling, and subject also to the enlarged dwelling not having a harmful visual impact on its surroundings. The habitable floor space of the existing dwelling measure approximately 178.29m². The proposed habitable floor space is approximately 225.34m². This is a 26% increase in habitable floor space, which is acceptable in terms of the criteria set out in Policy GB5. The bulk of these extensions already benefit from planning consent granted in 2011 which have largely been constructed.

APPEARANCE AND AMENITY ISSUES

The proposed development is the result of enforcement action following a complaint that the proposed side extension had been built in accordance with the approved plans. The side extension has increased in height from 5m to 5.9m in order to allow sufficient head room for the bathroom and bedroom. All other alterations have been constructed in accordance with the approved plans. The floorspace to the side extension has been extended to the front to allow for the roof plane on this side to be lowered and remove the large rendered elevation which had previously been proposed.

The amended design of the extension is considered to be more acceptable in terms of its aesthetics. The extensions still appear subordinate to the main dwelling and are set back from the front elevation. It is considered that due to the location of the extension on the northern elevation of the property the impact of the development on neighbours will be minimal. Minimum separation distances are achieved and there is a large hedgerow running along the boundary of the two properties 28 and 34 Woodlands Drive that screen the proposal. The scale of the extension is appropriate to the size of the plot and will not dominate the existing building or be so extensive as to be unneighbourly. As with the previous approval the proposed extension will project 5m into the rear garden but is located well away from the neighbouring properties and is therefore not considered to result in any adverse impact upon the amenities of the adjacent dwellings or to that of the Green Belt.

The property is set well back from the road and is partially screened from neighbouring dwellings by existing trees and vegetation. The proposed dormer windows have been restricted to the rear elevation of the property and are considered to be in keeping with the style and design of the original property. The corner plot location will also limit the impact of the development onto the street scene.

At the time of writing, two letters of objection have been received from the occupiers of 24 Woodlands Drive and 25 Low Wood Grove. Their objections are summarised as follows;

1. Visible unrendered block work spoils the overall concept of the development
2. Can be seen from the surrounding properties
3. The work has been going on for 5 years to the detriment of surrounding properties
4. Extension is now quite imposing

In order to ensure the appearance of the extension is acceptable a condition will be imposed to ensure that the current block work is rendered within six months of any decision. This will vastly improve the appearance of the extension and tie it into the character of the existing property. Whilst the extension will still be seen from surrounding properties it is not deemed imposing as the overall height is still less than that of the original building. The length of time the work has taken is not a valid reason for refusal and as such a refusal on this basis could not be sustained.

SEPARATION DISTANCES

The proposed windows have been positioned on the dwelling so as not to introduce any overlooking of adjacent properties. The first floor habitable room windows in the two storey side extension on the northern elevation of the dwelling have been limited to the rear elevation. The window in the side of the extension serves a bathroom and can be conditioned to be obscurely glazed. All minimum separation distances are achieved.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues arising from this proposal.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed development is acceptable in terms of the criteria set out in GB5 - Extension of Existing Dwellings in the Green Belt and the NPPF and is therefore 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 proposed development is acceptable in terms of the criteria set out in GB5 - Extension of Existing Dwellings in the Green Belt and the NPPF and is therefore 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 en-suite bathroom window in the first floor north facing elevation shall be obscurely glazed with frosted glass and non opening up to a height of 1.7m from floor level and shall be retained as such thereafter.

Reason: In the interest of amenity having regard to HS11 of Wirral's 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 06 July 2016 and listed as follows: 31_2011_02 Rev A (dated 09.02.2016)

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

4. Within six months of this permission the proposed rendered external finish of the extensions hereby approved shall be implemented in full and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of amenity having regards to policy HS11 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 01/08/2016
Expiry Date: 18/05/2016

Agenda Item 5

Planning Committee

18 August 2016

Reference:
APP/16/00403

Area Team:
North Team

Case Officer: Miss A McDougall
Ward: Claughton

Ward:

Claughton

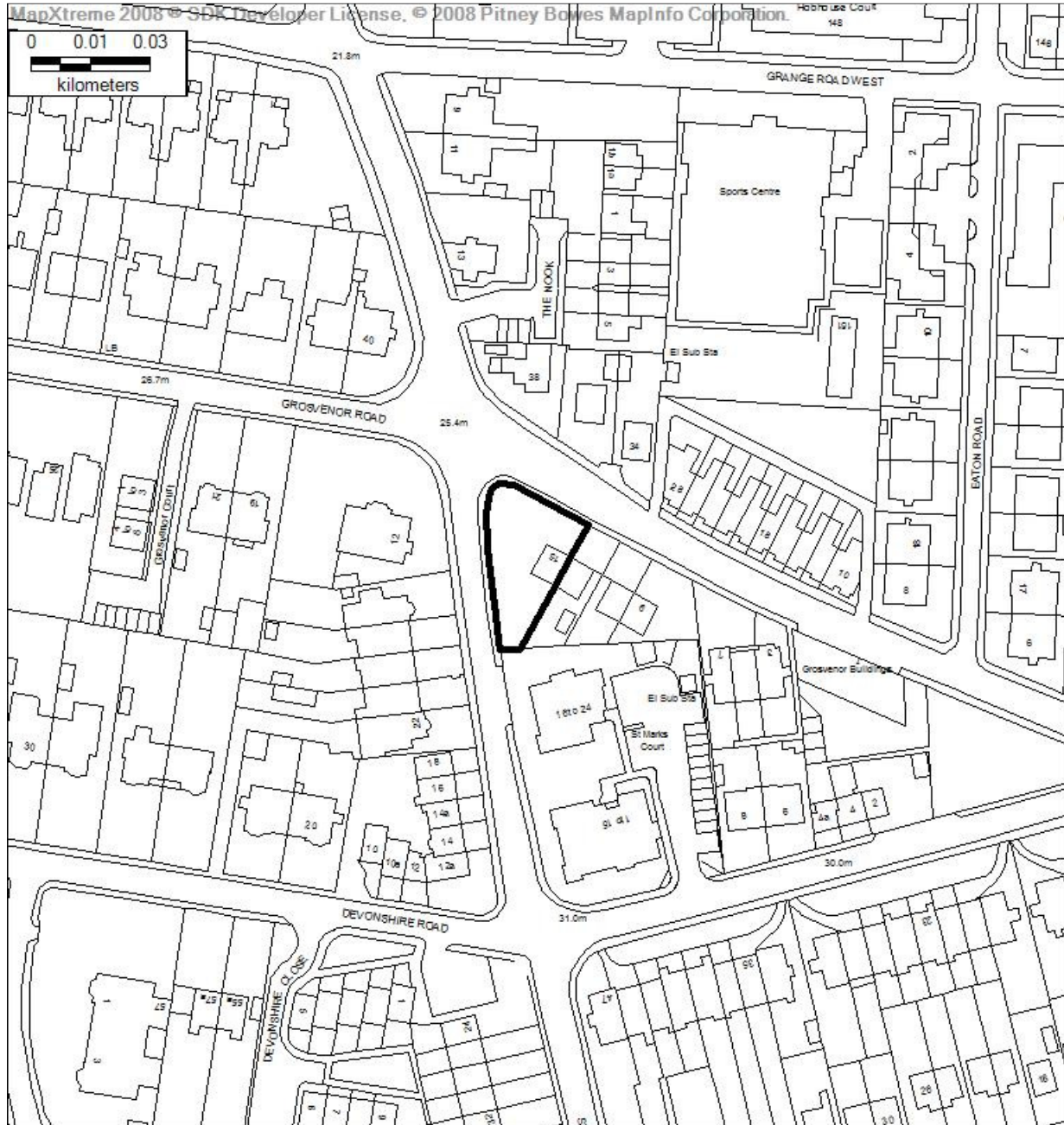
Location: 15 GROSVENOR ROAD, BIRKENHEAD, CH43 4UR

Proposal: Two storey side extension and detached garage with access road

Applicant: Mr K Haldon

Agent : SDA Architecture Limited

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

No planning history

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

Having regard to the Council Guidance on Publicity for Applications, 31 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 1 objection has been received, listing the following grounds:

1. Impact on trees

CONSULTATIONS:

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

4. DIRECTORS COMMENTS:**REASON FOR REFERRAL**

The application is submitted by SDA Architects and Surveyors, a firm of architects with which an elected Member of the Council is very closely connected. As 1 objection has been received, under the provisions of the Scheme of Delegation for Determining Applications, this application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for the erection of a two-storey side extension and a detached garage to the rear.

The plans have been amended 43_2016_01 Rev.B (14.06.2016) due to the impact onto protected trees within the site.

PRINCIPLE OF DEVELOPMENT

The proposal is for extensions to a dwelling which is acceptable in principle.

SITE AND SURROUNDINGS

The property is a semi-detached house located on a large corner plot that is bounded by Grosvenor Road and Slatey Road to the rear. The site has a blanket Tree Preservation Order, there has been a significant loss of trees along the side boundary with Slatey Road, there are some trees remaining that are worthy of retention.

The area is residential in character, the plot itself has a substantial side and rear garden that bounds Slatey Road, the site boundary is a sandstone wall with a fence above and is sufficiently screened from the highway.

POLICY CONTEXT

The proposal is for the erection of extensions to a dwelling and will be assessed in accordance with Wirral's UDP Policies HS11 and GR7.

Policy HS11 states: Proposals for house extensions will be permitted subject to all the following criteria being complied with:

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

(iv) dormer windows if used, being restricted to the rear of the dwelling and not projecting above the ridge, nor occupying the full width of the roof;

(v) flat roofs being restricted to the rear or side of the dwelling and only acceptable on single storey extensions;

(vi) where the rear extension is single storey on the party boundary and the existing dwelling semi-detached, the proposed extension projects a maximum of 3.0 metres from the main face of the existing houses;

(vii) where the rear extension is two storey and the existing house semi-detached, the proposed extension is set back at least 2.5 metres from the party boundary;

(viii) to avoid the effect of 'terracing', where two storey side extensions are added to the sides of semi-detached houses of similar style with a consistent building line and ground level, the first floor of a two storey side extension should be set back at least 1.5 metres from the common boundary; or at least 1.0 metre from the front elevation and 1.0 metre from the common boundary; or at least 2.0 metres from the front elevation;

(ix) single storey extensions on terraced dwellings allowing an adequate area of amenity space to be retained.

Policy GR7 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;

Applications should include detailed plans showing the location of individual trees to be affected by the development proposed, together with information related to trunk girth, species mix, height, canopy spread and general health and condition. Trees to be felled should be clearly indicated.

Where development involving the loss of trees is to be permitted, the Local Planning Authority will, as a condition of planning consent, require replacement trees to be planted elsewhere on the site where this is required in order to protect or preserve local amenity.

Planning conditions will include provision for the future maintenance of newly planted stock, including the replacement of failures, until the newly planted stock is established and capable of normal unaided growth; and during the construction period, measures related to the protection of trees to be retained.

Work to trees, including felling, removal, thinning and crown lifting should be completed prior to construction commencing in accordance with a scheme of work agreed in advance with the Local Planning Authority.

APPEARANCE AND AMENITY ISSUES

The proposal is for the erection of a two-storey side extension and a detached double garage.

The proposed two-storey side extension meets the Council's current criteria in terms of including a 1m set back at first floor and a lower ridge height, the extension is also set approximately 8m from the side boundary with Slatey Road, the side garden had a width of 11.5m from the original side elevation of the dwelling, the extension has a width of 3.5m. The proposed extension retains a large side garden this coupled with the set back and the retention of the side boundary trees will protect the established appearance of the corner plot.

The detached garage is to be located to the rear of the site and will retain the access from Grosvenor Road, with a new driveway that runs to the side of the dwelling. The garage has a pitched roof that slopes away from the side boundary with Slatey Road and the rear of no.13 Grosvenor Road. The height to the eaves is 2.5m and the roof pitch is 4.5m. The majority of the garage is situated behind the substantial boundary wall and the high rear fence that bounds the gardens of St Marks Court.

The proposed driveway to the garage has been amended to reduce the potential of harm to the existing boundary trees that are protected, the impact onto the trees is the main concern with regards to this development as the proposed extensions are considered acceptable and can be accommodated within the site without having a detrimental impact onto neighbouring residential amenity. There appears to have been previous removal of protected trees along the side boundary that would have originally contributed to visual amenity, therefore the proposed development has been amended to reduce the effect on the remaining trees. A tree survey has been submitted, the survey proposed the removal of the Holly and the Sweet Chestnut however following a site visit it has been confirmed that the Sweet Chestnut can be retained, this has been confirmed with the agent (email on file).

Following the amendments to the plan and the retention of the protected trees the development as a whole is considered acceptable.

SEPARATION DISTANCES

The proposed extension is set approximately 28m from the houses opposite, 25m from the front elevation of the houses on Slatey Road and 27m to the flats at the rear St Marks Court. The proposal therefore meets the Council's current interface distances.

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, as amended, is considered acceptable having regard to scale, siting, appearance and Wirral's UDP Policies HS11 and GR7.

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, as amended, is considered acceptable having regard to scale, siting, appearance and Wirral's UDP Policies HS11 and GR7.

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 14 June 2016 and listed as follows:
43_2016_01 Rev.B.

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

3. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS11 of the Wirral Unitary Development Plan.

4. Before any equipment, machinery or materials are brought onto site, 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 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 in the interests of visual amenity and to comply with Policy GR7 of the Wirral Unitary Development Plan.

5. No tree which is to be retained shall be cut down, uprooted or destroyed, or have surgery undertaken, without the written approval of the Local Planning Authority, within 1 year from the completion of the development. Any such trees removed or dying shall be replaced with trees of a size and species to be agreed in writing with the Local Planning Authority in the next available planting season.

Reason: In the interests of visual amenity and in order to comply with Policy GR7 of the Wirral Unitary Development Plan.

Last Comments By: 18/05/2016
Expiry Date: 17/05/2016

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Planning Committee

18 August 2016

Reference:
APP/16/00422

Area Team:
South Team

Case Officer:
Mrs C Parker

Ward:
Heswall

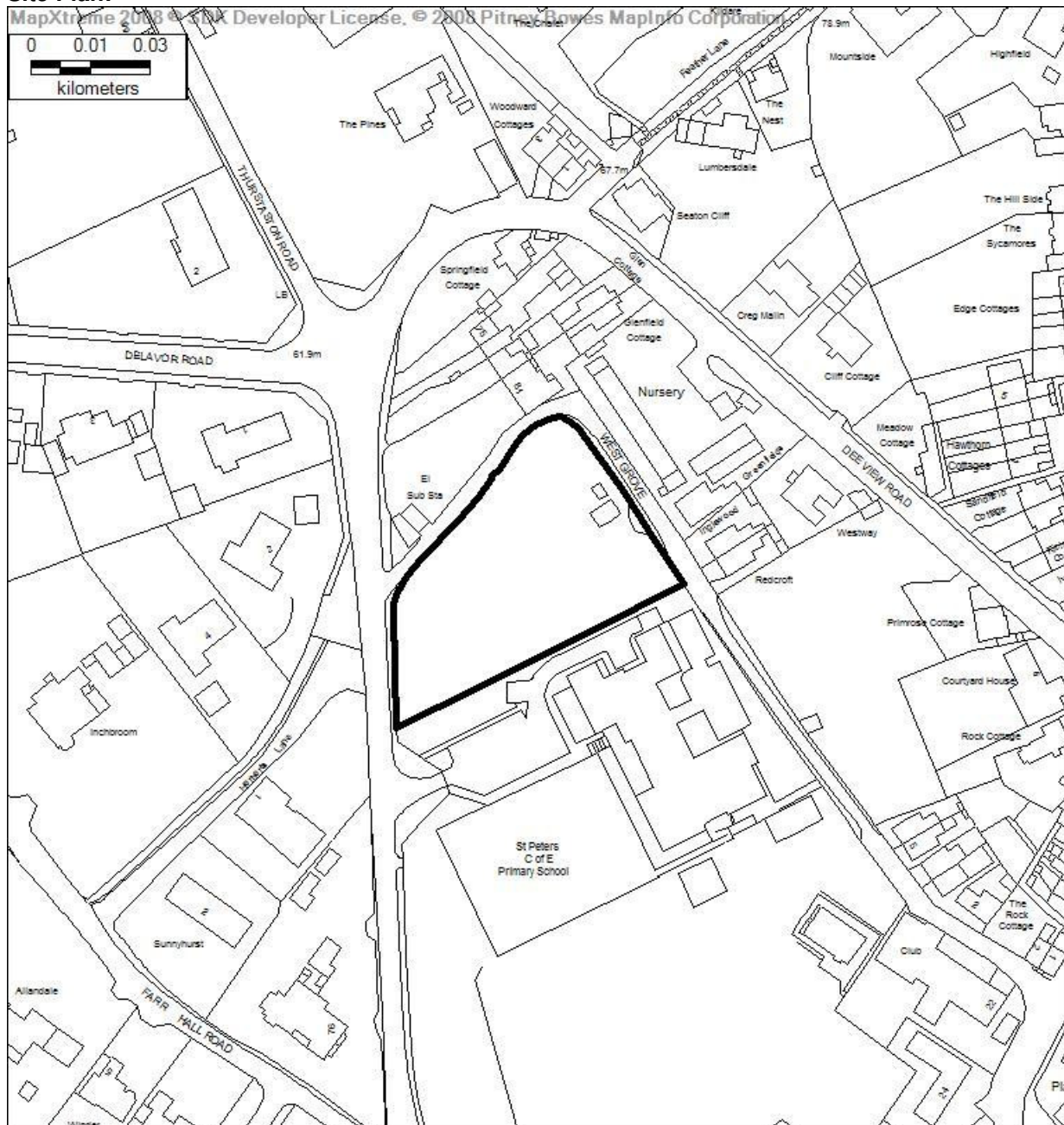
Location: Land Adjacent to St Peters CE Primary School, THURSTASTON ROAD, HESWALL, CH60 4SA

Proposal: Proposed erection of 4 no. residential units as re-design of APP/14/01341 (Amended plans received amended access and reduce plot to 4 dwellings)

Applicant: Gayton Homes Limited

Agent : KJP Architecture

Site Plan:



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Development Plan allocation and policies:

Conservation Area (for illustrative purposes)
Primarily Residential Area

Planning History:

Location: Land Adjacent to, St Peters CE Primary School, Nursery Allotment Gardens,
THURSTASTON ROAD, HESWALL, CH60 4SA
Application Type: Full Planning Permission
Proposal: Proposed erection of 4no residential units
Application No: APP/14/01341
Decision Date: 20/03/2015
Decision Type: Approved

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

Having regard to the Council Guidance on Publicity for Applications, 16 notifications were sent to adjoining properties and a site notice was also displayed. At the time of writing this report 24 representations have been received relating to the originally submitted plans objecting to the proposal for the following reasons:

1. Inadequate vehicular access from West Grove
2. West Grove is part of the character of the Conservation Area
3. Highway safety issues in close proximity to the school
4. The houses will alter the setting of the conservation area in a detrimental way
5. This proposal should have the access as the previous approval
6. Increase in traffic and congestion
7. Design and context is out of keeping with the conservation area

A qualifying petition has been received with 147 signatures objecting due to:

1. Inadequate access on West Grove
2. Harmful to the character of the Conservation Area
3. Character of narrow lanes should be retained in line with Policy CH14

The proposal has been amended to reduce the number of dwellings to four and the provision of vehicular access from Thurstaston Road not West Grove. The neighbours originally notified have been re-consulted and a further 4 representations have been received stating that the access is more acceptable, however the design could be more in-keeping with the area.

Heswall Society - welcome the amendments and note that the plans still state 5 dwellings (though there are 4); maximum distance between the development and Thurstaston Road should be provided; landscaping details should be provided and the conditions attached to the previous approval should be included

CONSULTATIONS:

Head of Environment and Regulation (Traffic and Transportation Division) - no objection subject to conditions

Head of Environment and Regulation (Pollution Control) - no objection

Directors Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

A qualifying petition of objection with 147 signatures has been received relating to the proposal. As such, under the provisions of the Scheme of Delegation for Determining Planning Applications the application is required to be considered and determined by Planning Committee.

INTRODUCTION

The proposal is for the erection of 4 detached dwellings on the former nursery and allotment site fronting Thurstaston Road, Heswall and has been amended from the first submission. The proposal has been reduced by one dwelling and the access has been relocated from West Grove to be from Thurstaston Road. The number of dwellings and the proposed access reflects a previous proposal approved under reference APP/14/1341. This amended proposal shows a slightly different layout and design of the dwellings.

PRINCIPLE OF DEVELOPMENT

The site is within a Primarily Residential Area where the principle of a residential development is acceptable. The site is also within Heswall Conservation Area where a residential development should make a positive contribution to the local character and distinctiveness quality of the area.

SITE AND SURROUNDINGS

The application site fronts onto Thurstaston Road and is bounded by West Grove at the rear. St Peters Primary School is located to the south immediately adjacent to the site with residential properties set back to the north of the site. The site is currently vacant and was formerly a nursery and allotment. West Grove is an unadopted lane that provides access to a small number of dwellings. The surface is uneven, rutted and poorly drained, however the narrow lane is an integral part of the character of the Conservation Area that is recognised within the Conservation Area Appraisal. It is bounded in one section by a good quality stone wall and elsewhere by hedges, and on the school side by an unattractive spiked fence. The adjacent buildings are set back from the road and this site benefits from an open aspect on a prominent corner.

POLICY CONTEXT

The site is located within Lower Heswall Conservation Area and the Primarily Residential Area.

The National Planning Policy Framework (NPPF) states that new development in conservation areas should make a positive contribution to the local area in terms of character and distinctiveness. In terms of the setting within the Conservation Area, the NPPF states that applicants should describe the significance of any heritage assets affected. This should be included within a Heritage Statement to be submitted with the planning application. When determining a planning application, the Local Planning Authority will take account of:

- The desirability of sustaining or enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness

The NPPF supports sustainable housing development which encompasses good design and widens the choice of high quality homes. Development should make a positive contribution to an area and use opportunities to improve the character and quality of an area.

UDP Policy HS4 - New Housing Development 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; should provide appropriate landscaping and boundary treatment that contributes to a secure environment; access and services capable of satisfactory provision with the provision of adequate vehicular access.

UDP Policy CH2 - Development Affecting Conservation Areas states that proposals Policy CH14 in relation to Heswall Lower Village Conservation Area states that the principal planning objectives for the area will be to:

- (i) preserve the character of the old village core, including the setting and character of its former farm buildings and cottage scale dwellings;
- (ii) preserve the character and setting of the surrounding area characterised by substantial property in

large, well-landscaped grounds and by the denser more modest scale development to the north of Dawstone Park;

(iii) retain unifying features such as stone walls, the character of narrow lanes such as School Hill, Brow Lane, West Grove and Feather Lane and areas of mature landscaping.

The reasoned justification for the criteria set out in Policy CH14 states that Heswall Lower Village Conservation Area was designated in April 1979. Its boundaries are drawn to encompass the original nucleus of the small fishing village which pre-dated the suburban expansion of Heswall after the arrival of the railway in the late nineteenth century, as well as some of the earliest and best of the later suburban development.

A Character Appraisal has been approved for the conservation area. This sets out a description of the area in terms of plot sizes, topography and scale and design of older, and original traditional dwellings as well as the more recent developments in the area.

The heart of the original settlement, based around Village Road, Raby Close and The Lydiate, can still be discerned and retains much of the character of a typical English Village, including its church and rectory, public house, village hall, shops and groups of cottage scale dwellings, and former farm buildings such as Lydiate Farm and The Old Smithy. One objective of Policy CH14 is, therefore, to ensure that the distinctive character of the old village continues to be preserved.

Policy CH14 also seeks to preserve the setting and appearance of the surrounding area. This area can be split into two distinct segments: the area characterised by substantial houses set in large grounds, situated towards and along Dawstone Road; and the more clustered modest scale development, based around Dee View Road, The Mount and the upper part of School Hill. In accordance with Policy CH14, new proposals will be required to reflect the specific character of the sub-area in which it is located.

The special character of Dawstone Park, and the significance of its location at the junction of these three distinct areas in the historic development of the Village, also merits special protection. Policy CH14, therefore, provides for the historic character of this open space to be preserved.

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.

APPEARANCE AND AMENITY ISSUES

As set out in the Policy Section above, any development on this site needs to contribute positively to the character of the conservation area. The need to make a positive contribution to the conservation area does not preclude the principle of development rather that such development should respect its surroundings in terms of layout, design and use of materials. In this case, the amended proposal reducing the number of dwellings from 5 to 4, the revised access and the layout within the site is considered acceptable and retains the open aspect in order to contribute to the character of the area.

The properties within the immediate vicinity are a mix of detached and terraced properties of different ages that consist of a variety of materials. The materials for the construction of the proposed dwellings have been chosen to reflect those of the neighbouring properties and include the use of render, brick and grey/blue slate. As a contrast and to reflect a contemporary appearance, the windows and doors will be finished in a powder coated aluminium with a larger surface area of glass to result in a neat finish.

The layout of the dwellings within the site is designed around a central access road with Plots 1 and 2 located towards the rear of the site at the top of the turning head and plots 3 and 4 located at the front of the site onto Thurstaston Road. The orientation of Plots 3 and 4 and the inclusion of a single storey linked garage mean that the dwellings have their rear elevations facing onto Thurstaston Road and side elevations facing each other. The Heswall Society have commented that a front elevation would have been preferable but generally welcome the set back from Thurstaston Road. Although the rear elevations will face Thurstaston Road, it is considered that the set back allows for sufficient space to the front boundary and the design of the rear elevation does not differ significantly to the front elevation in terms of external finishes and window design. As a result of the different levels within the site, the

houses at plots 1 and 2 towards the rear of the site, will appear slightly elevated and visible from Thurstaston Road. These houses have their front elevations facing towards Thurstaston Road.

Planning permission has been granted for 3 dwellings to the rear of the site (APP/16/00048), which is the former nursery and allotment site bounded by West Grove and fronting onto Dee View Road. These houses are currently under construction and area similar scale and design to this proposal.

The majority of objections and the petition of objection have been received as a result of the originally submitted plans where 5 dwellings were proposed with vehicular access utilising West Grove. The main focus of the objections is on the use of West Grove both in terms of highway safety and the impact of using this narrow lane on the character of the Conservation Area. The representations also object on the grounds that 5 dwellings are proposed and that the elevations are of a poor design. The amended plans show 4 dwellings with access from Thurstaston Road and in principle, is similar to the previous approval APP/14/01341.

It is considered that the scale, layout, design and use of external material finishes of the proposed dwellings is appropriate within the site and serves to make a positive contribution to the Conservation Area. The proposal has regard to the character of the conservation area and is designed to preserve both the character of the older village core as well as the modest scale developments and the setting of the surrounding area characterised by larger properties set in substantial grounds.

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. The houses at the rear of the site along West Grove are set at a higher level than the proposed dwellings and there is a separation distance of 23 metres. The houses under construction on the former nursery and allotment site to the rear (Dee View Road) are 21 metres away. The separation distances are achieved for the proposed houses within the site and the adjacent houses on West Grove and the site fronting Dee View Road.

HIGHWAY/TRAFFIC IMPLICATIONS

The majority of the objections relate to the originally submitted plans that showed access from West Grove. The application was re-advertised once the amended plans were received and has not attracted the same number of objections as West Grove will not be used as an access road. The previous proposal APP/14/01341 attracted a number of objections with the access from Thurstaston Road due to the proximity to the adjacent school. However, this access was considered to be more acceptable subject to conditions. West Grove is an unadopted road and is narrow in width. The neighbours currently experience difficulty in passing adequately. The proposal has been amended to provide access from Thurstaston Road in accordance with the previous approval. In order to do this, an adoptable standard access for 4 or more dwellings with a minimum 1.8 metre footway co-extensive with its frontage onto Thurstaston Road is required. This is due to the location adjacent to a primary school. A 2 metre wide foot way would offer an opportunity to improve the current situation. In addition, adequate sight lines into the site are provided and it is considered that the erection of 4 dwellings would not significantly increase traffic movements to a degree that would warrant refusal of the application.

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 layout, scale and design of the proposed dwellings represent an appropriate development within the Conservation Area. The proposal is considered to make a positive contribution to the local area in terms of character and distinctiveness. The proposal is a sustainable housing development which encompasses good design and widens the choice of high quality homes. The proposed development will not result in any harm to the amenities of the occupiers of adjacent houses and is in keeping with the pattern of development and character of the Conservation Area. The proposal therefore accords with the National Planning Policy Framework and UDP Policies CH2, CH14 and HS4

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 layout, scale and design of the proposed dwellings represent an appropriate development within the Conservation Area. The proposal is considered to make a positive contribution to the local area in terms of character and distinctiveness. The proposal is a sustainable housing development which encompasses good design and widens the choice of high quality homes. The proposed development will not result in any harm to the amenities of the occupiers of adjacent houses and is in keeping with the pattern of development and character of the Conservation Area. The proposal therefore accords with the National Planning Policy Framework and UDP Policies CH2, CH14, HS4

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans as amended received by the local planning authority on the 5 July 2016 and listed as follows: 001, 002, 003, 004, 005, 006, 007 dated 05.07.16

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

3. NO DEVELOPMENT SHALL TAKE PLACE until full details of the new access arrangements, including a 2 metre wide footway, have been submitted to, and approved in writing, by the Local Planning Authority. The footway shall be constructed in accordance with the approved details and before construction of the new dwellings hereby approved is commenced. The footway shall be retained and maintained permanently thereafter.

Reason: In the interests of highway safety having regard to Policy HS4 of the Wirral Unitary Development Plan.

4. NO DEVELOPMENT SHALL TAKE PLACE until full details of the road markings relating to school safety have been submitted to and approved in writing by the Local Planning Authority. The details shall include the amendment of the existing 'School Keep Clear' carriageway markings that extend across the proposed access to be replaced by a 'no waiting at any time' on the Thurstaston Road frontage. The approved road markings shall be completed in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason: In the interest of highway safety having regard to Policy HS4 of the Wirral Unitary Development Plan

5. NO DEVELOPMENT SHALL TAKE PLACE until samples of the facing and roofing 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 CH4 of the Wirral Unitary Development Plan.

6. PRIOR TO FIRST OCCUPATION OF THE DEVELOPMENT details of a scheme for all boundary treatment shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented in full and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of amenity

7. 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.

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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the property unless expressly authorised.

Reason: In order to protect the residential amenities of nearby occupants and to accord with Policy HS4 and CH2 of the Wirral Unitary Development Plan.

9. NO DEVELOPMENT SHALL TAKE PLACE until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by 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 UDP.

10. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by 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 GR5 of the UDP.

11. NO DEVELOPMENT SHALL TAKE PLACE until a datum for measuring land levels shall be agreed in writing. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum and submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

12. NO DEVELOPMENT SHALL TAKE PLACE until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the drainage system has been constructed and completed in accordance with the approved plans.

Reason: In the interests of providing satisfactory drainage of the site and to accord with

Policy HS4 of the Wirral Unitary Development Plan.

13. 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 policies WM8 and WM9 of the Waste Local Plan.

14. 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 policies WM8 and WM9 of the Waste Local Plan.

15. NO DEVELOPMENT SHALL TAKE PLACE (including any demolition works) UNTIL a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details.

Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.

Reason: In the interests of the safe operation of the local highway network and having regards to visual and residential amenities of the area.

Further Notes for Committee:

Last Comments By: 26/07/2016

Expiry Date: 10/06/2016

Planning Committee

18 August 2016

Reference:
APP/16/00511

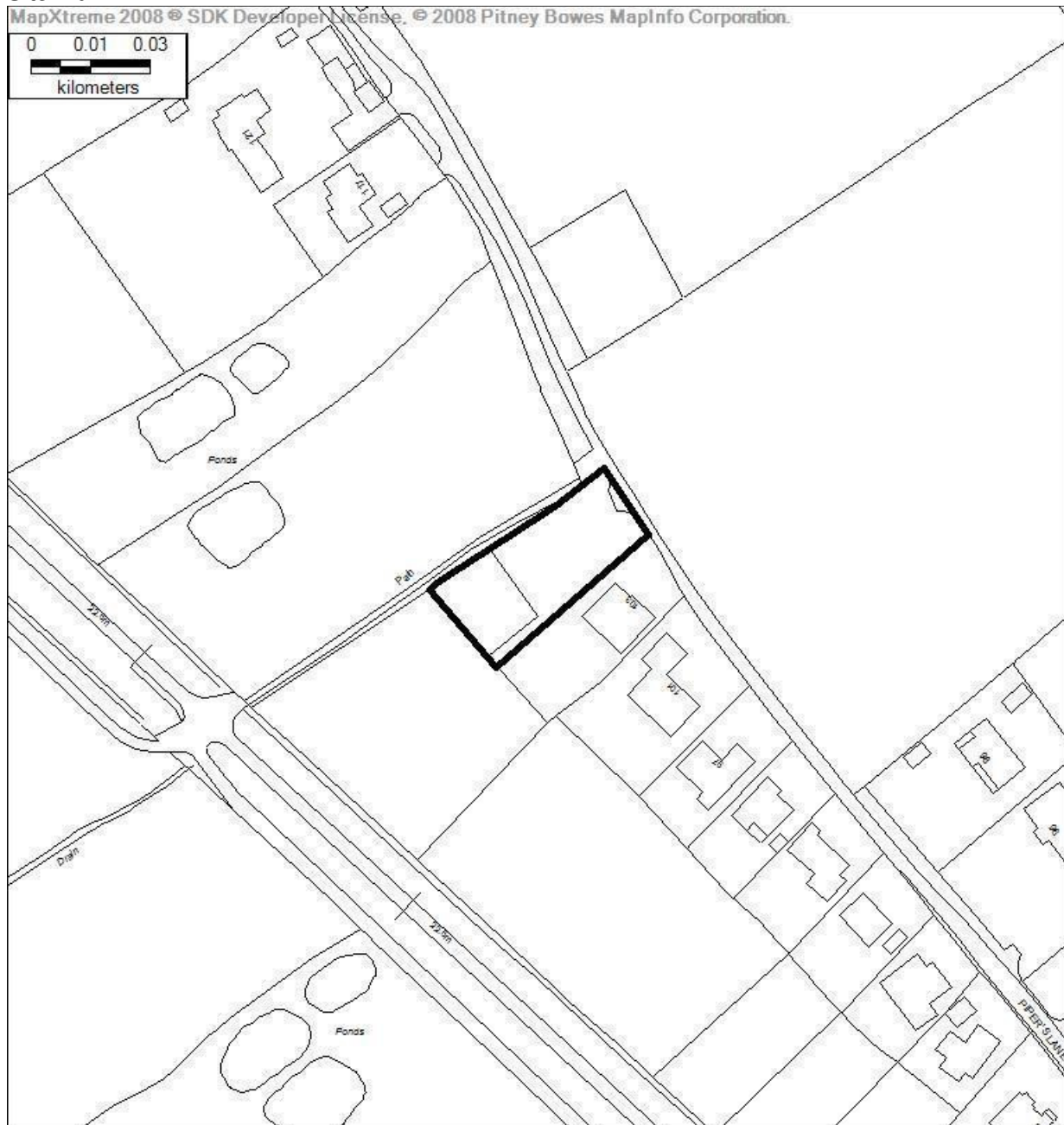
Area Team:
South Team

Case Officer:
Miss A McDougall

Ward:
Heswall

Location: LAND ADJACENT TO 103 PIPERS LANE, HESWALL, CH60 9HR
Proposal: New Build Dwelling at Land Adjacent 103 Pipers Lane
Applicant: Mr Andrew Speck
Agent : SDA Architecture Limited

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:

Location: Land at 103 PIPERS LANE, HESWALL, CH60 9HR
Application Type: Full Planning Permission
Proposal: Two storey, four double bedroomed detached property, eco-friendly, sustainable, passive house
Application No: APP/14/00795
Decision Date: 17/09/2014
Decision Type: Approved

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

Having regard to the Council Guidance on Publicity for Applications, 8 notifications were sent to adjoining properties. At the time of writing this report 5 objections have been received, listing the following grounds:

1. no boundary treatment shown
2. no floor level shown
3. projects forward and back of the building line
4. no flat roof buildings in the area
5. out of character
6. intrusive to the green belt
7. works have already begun
8. overbearing
9. vast hard-standing
10. impact onto habitable room windows
11. impact on wildlife

CONSULTATIONS:

The Heswall Society - Objects to the application on the grounds that it is out of character with the area, is of a scale that does not relate well with the surrounding form of development and does not provide for appropriate landscaping and/or boundary treatment which would relate the development to its surroundings. The proposed new dwelling is located at the edge of an urban area which would be visible from the open countryside and it is the Society's view that this development would detrimentally impact upon the local landscape.

Director's Comments:

Consideration of this item was deferred from Planning Committee on 21 July 2016 to allow for a formal Members Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a firm of architects with which an elected Member of the Council is very closely connected. As 5 objections have been received, under the provisions of the Scheme of Delegation for Determining Applications, this application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for the erection of a detached dwelling.

The site currently benefits from planning consent for a detached two-storey dwelling - APP/14/00795.

The application has been amended following consultation with the neighbours, the applicant has moved the building away from the boundary with no.103 and amended the access and lower ground floor use.

PRINCIPLE OF DEVELOPMENT

The principle of a dwelling has been established on this residential plot and is therefore considered acceptable in principle.

SITE AND SURROUNDINGS

The site is currently the side garden of the existing dwelling no.103 Pipers Lane, the site is located at the end of the residential area and adjacent to the Green Belt, the proposal is for a two-storey dwelling, due to the land levels there building will appear three storey to the rear, the property at no.103 is a two-storey dwelling, although Pipers Lane itself is a mix of house types and scales, there is no uniform design to the character of the area.

POLICY CONTEXT

The proposal is for the erection of a two-storey detached house within a residential area, the residential curtilage of the application is contained wholly within the designated Primarily Residential Area, the development will therefore be assessed against Wirral's UDP Policy HS4.

Policy HS4 states; Proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- (iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;
- (v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- (vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- (vii) the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

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.

APPEARANCE AND AMENITY ISSUES

The proposal is for a detached dwelling, the design of which is modern in comparison to some of the more traditional properties along Pipers Lane however there is no uniform design along Pipers Lane. The building is simple in design but takes advantage of the location to incorporate large windows and a rear balcony, the building is relatively square with a flat roof that will include a green roof. The design of the proposal differs greatly from the previously approved dwelling 14/00795.

Work has begun on site, due to the site previously forming the garden curtilage of no.103, there were no boundary walls or fences in place, due to the land levels on the site, great care must be taken in relation to the heights and materials of any boundary treatment that is erected due to the potential impact onto no.103.

The proposed building is set further forward (1.5m) and further back (2m) than the dwelling at 103, the proposal is also set approximately 5.9m from the side elevation of no.103. The flat roof design of the dwelling allows for the house to not result in a dominant structure when viewed from Pipers Lane, the

height of the building will be lower than the dwelling at 103.

The application plans have been amended following the consultation process. The building has been moved further away from the dwelling at 103 and the tarmac to the rear has been reduced. The siting of the proposed dwelling is now further away from 103 than the previously approved building, the design has retained the rear balcony and the rear garage access. The rear balcony has a privacy screen as part of the structure to the south east elevation which restricts outlook to the side and across the garden of 103, the balcony will have outlook to the rear and will be visible from no 103 when looking towards the rear elevation of the house however the balcony does not overlook habitable room windows and the screen will provide a level of privacy for both properties. Concerns have also been raised with regards to side windows at 103, these windows serve habitable rooms however they are not the only windows and are not considered to be located on the principal elevations of the dwelling, the dwelling that has already been approved on this site is within closer proximity than the proposed dwelling and would therefore have more impact on these windows.

The proposed siting, scale and layout of the proposed dwelling are considered acceptable, the overall bulk of the building will not have a greater impact onto the plot and the neighbouring properties than the previously approved dwelling house. The building has taken into account the gradient of the land and the amendments have taken into account some of the concerns raised by neighbouring properties in order to reduce any perceived harm.

The building is largely glazed to the front and rear, the minimalist design of the building allows for larger windows to create a symmetrical design and add character to the building, the seeded roof also adds character and is considered to relate to the rural nature of the surrounding environment. Due to the minimalist design, the materials used will have a great impact on the finished external appearance of the building and how it relates to the character of the area.

Whilst the design is different to the building that has previously been granted planning approval, the overall impact is similar if not improved as the proposed dwelling is set further away from the existing dwelling at 103 and is lower in height.

SEPARATION DISTANCES

The proposed building is located adjacent no.103 Pipers Lane, there are no dwellings to the front or rear of the property, therefore the principal elevations meet the Council's current separation distances. Concerns have been raised with regards to the distance between the side elevations of no.103 and the proposed dwelling, following this amendments were submitted, the buildings are now 5.9m apart, there are side windows at 103 however they are not the sole windows to habitable rooms and it is not considered a principal elevation.

The development therefore meets the Council's current interface distances.

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 dwelling is considered acceptable in terms of its design, planning history, relationship with neighbouring dwellings and the character of the area in accordance with Wirral's UDP Policy HS4.

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 dwelling is considered acceptable in terms of its design, planning history, relationship with neighbouring dwellings and the character of the area in accordance with Wirral's UDP Policy HS4.

Recommended **Approve**
Decision:

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13 June 2016 and listed as follows: 21_2016_02 Rev.B & 21_2016_03 Rev.B.

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

3. 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.

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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy HS4 of the Wirral Unitary Development Plan.

5. 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.

6. Mitigation measures for the impact on Badger habitat should include details of any boundary fencing/walls that would allow badgers to access the site and adjacent fields shall be submitted to and agreed in writing prior to the commencement of development. The details of the approved scheme shall be implemented in full and retained as such thereafter.

Reason: In the interest of species protection having regards to policy NC7 of Wirral's Unitary Development Plan.

7. In order to protect Badgers during development, work shall only take place between 0800 hours and 1800 hours, any holes/trenches left open overnight must have a means of escape provided, all materials containing lime must be stored so that badgers cannot access them and any obvious badger paths must be left clear of obstruction.

Reason: In the interest of species protection having regards to policy NC7 of Wirral's Unitary Development Plan.

8. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to and approved in writing by the Local Planning Authority. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT the walls

(including retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

Reason: To satisfactorily protect the character and appearance of the area and the residential amenities of adjoining properties, having regard to Policy HS4 and GR7 of the Wirral Unitary Development Plan.

9. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.

Reason: To ensure a satisfactory relationship between the various components of the development and between the site and adjoining land, to ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, any trees and hedgerows and the amenities of neighbouring properties, having regard to Policy HS4 and GR7 of the adopted Wirral Unitary Development Plan.

10. 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 policies WM8 and WM9 of the Waste Local Plan

11. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

Last Comments By: 07/06/2016
Expiry Date: 21/06/2016

Planning Committee

18 August 2016

Reference:
APP/16/00634

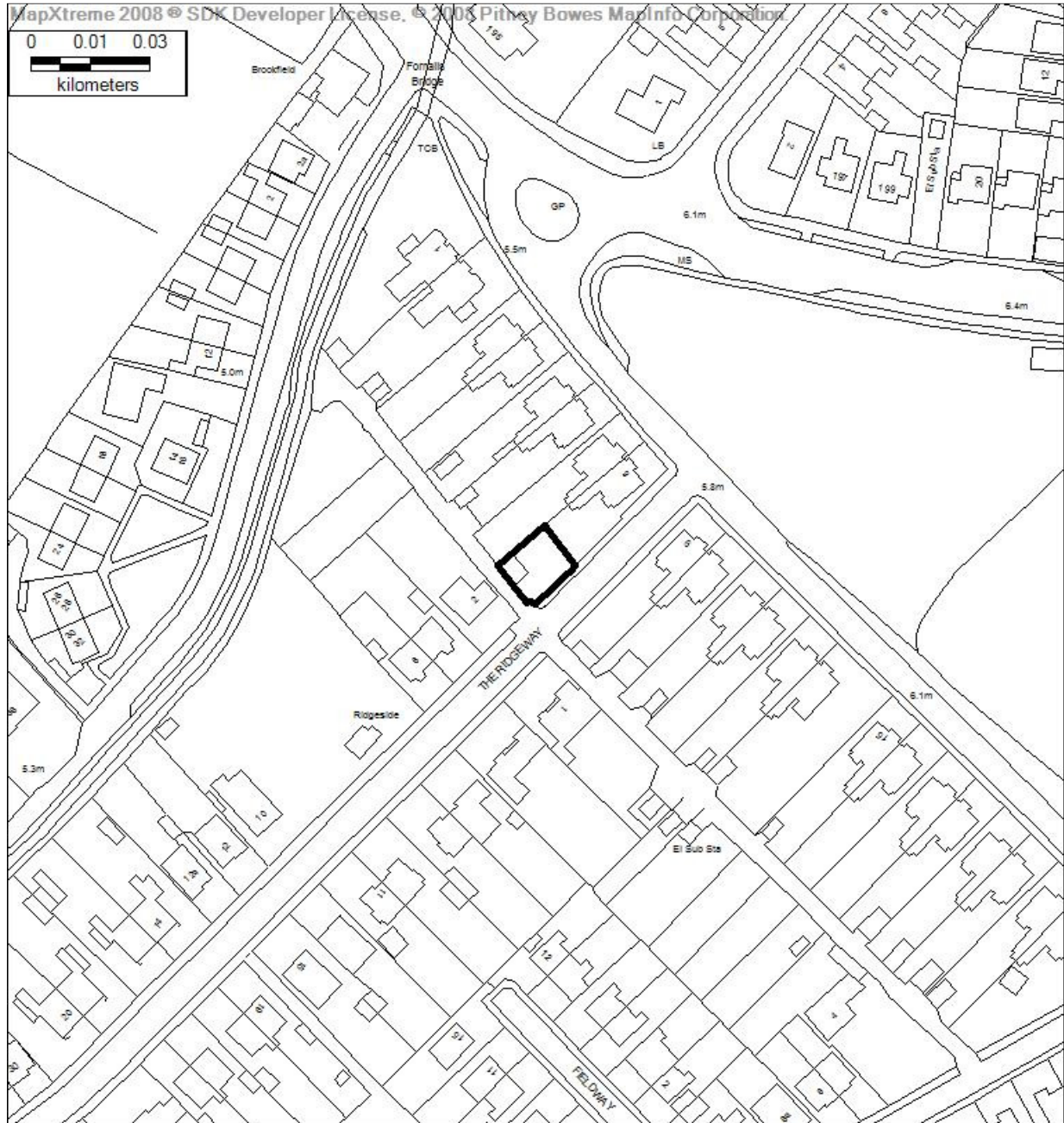
Area Team:
North Team

Case Officer:
Miss A McDougall

Ward:
Hoylake and Meols

Location: Land at the rear of White-Haven, 8 HERON ROAD, MEOLS, CH47 9RU
Proposal: New build residential bungalow development at the rear of 8 Heron Road
Applicant: Mr Paul Raven
Agent : SDA Architecture Limited

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:

No planning history

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

Having regard to the Council Guidance on Publicity for Applications, notifications were sent to adjoining properties. At the time of writing this report 21 separate objections have been received, listing the following grounds:

1. parking/highway safety
2. out of character
3. cramped development
4. overlooking
5. drainage problems
6. little amenity space
7. proximity to boundary of 7 Heron Road

A 54 signature petition of objection has also been received in relation to this application supporting the objections set out above.

CONSULTATIONS:

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

Director's Comments:

Consideration of this application was deferred from Planning Committee on 21 July 2016 to allow for a formal Members Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a firm of architects with which an elected Member of the Council is very closely connected. Following receipt of 21 objections from neighbouring residents, having regard to the provisions set out in the Scheme of Delegation for Determining Applications, this application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for the erection of a detached single storey dwelling.

PRINCIPLE OF DEVELOPMENT

The site is in a residential area, the principle of development is acceptable.

SITE AND SURROUNDINGS

The application site currently forms a rear garden of no.8 Heron Road, the site access is proposed off The Ridgeway, the property will form part of the streetscene of The Ridgeway which is a mix of house types, there are two-storey and single storey dwellings within the immediate area.

POLICY CONTEXT

The proposal is for a new dwelling and will be assessed in accordance with Wirral's UDP Policy HS4.

Policy HS4 states; Proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;

(iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;

(v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;

(vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and

(vii) the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

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.

APPEARANCE AND AMENITY ISSUES

The proposal is for the erection of a detached bungalow located to the rear of 8 Heron Road and fronting The Ridgeway. The application site is currently part of a rear garden within the curtilage of 8 Heron Road, the garden adjoins an access road to the rear that is utilised by 1-8 Heron Road, some of the properties have parking off this alleyway and detached garages that are accessed at the rear.

The proposed dwelling is a detached bungalow that will front onto The Ridgeway, the application site includes a private garden and off road parking for one vehicle. The siting of the dwelling follows the front building line of the houses on The Ridgeway and meets the interface distances to the rear elevation of no.8 Heron Road, the overall design and siting of the dwelling is considered acceptable and retains a substantial rear garden for the host house no.8 Heron Road.

The main area of impact is the rear elevation along the boundary with no.7 Heron Road. The existing boundary contains mature vegetation and a small area to the rear of no.7 Heron Road is set aside for off street parking. The design of the bungalow to the rear is staggered so that part of the dwelling is set 1.2m off the boundary with no.7, the eaves height is 2.4m (3.9m to the ridge) and the roof slopes away to reduce the bulk along the boundary. The rear elevation of the dwelling has a width of 12m and is set off the rear boundary which will allow for a maintenance strip, the rear elevation having regard to the height of the building will have the appearance when viewed from no.7 Heron Road to that of a garage.

The outlook to habitable rooms is sited on the front elevation which will protect the amenities of the houses on Heron Road, there are secondary windows located to the side and rear elevations however these are proposed to be high level or fixed and obscurely glazed.

The siting of the building will form the streetscene of The Ridgeway, the rear elevation is partially screened from no.7 by the existing car park and boundary treatment. It is considered that the proposed dwelling would not have an adverse impact onto the character of the area or the amenities of the neighbouring properties.

SEPARATION DISTANCES

The proposal includes habitable room windows to the front elevation which is set 15m from the side garden boundary of 9 Heron Road, the blank side elevation is set over 16m from the rear elevation of no.8 Heron Road. The proposed dwelling therefore meets the Councils current interface distances of 21m window to window (habitable) and 14m window to blank elevation.

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 siting of the proposed dwelling is considered acceptable having regard to the character of the area, the neighbouring residential amenity and Wirral's UDP Policy HS4.

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 siting of the proposed dwelling is considered acceptable having regard to the character of the area, the neighbouring residential amenity and Wirral's UDP Policy HS4.

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 3 May 2016 and listed as follows: 47_2016_01.

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

3. On insertion the windows hereby approved, and any subsequent windows installed at ground floor to the North East, North West and South West facing side elevations 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.

4. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

Reason(s): To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

5. 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.

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 policies WM8 and WM9 of the Waste Local Plan.

7. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, 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 previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

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: 14/06/2016

Expiry Date: 28/06/2016

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Planning Committee

18 August 2016

Reference:
APP/16/00684

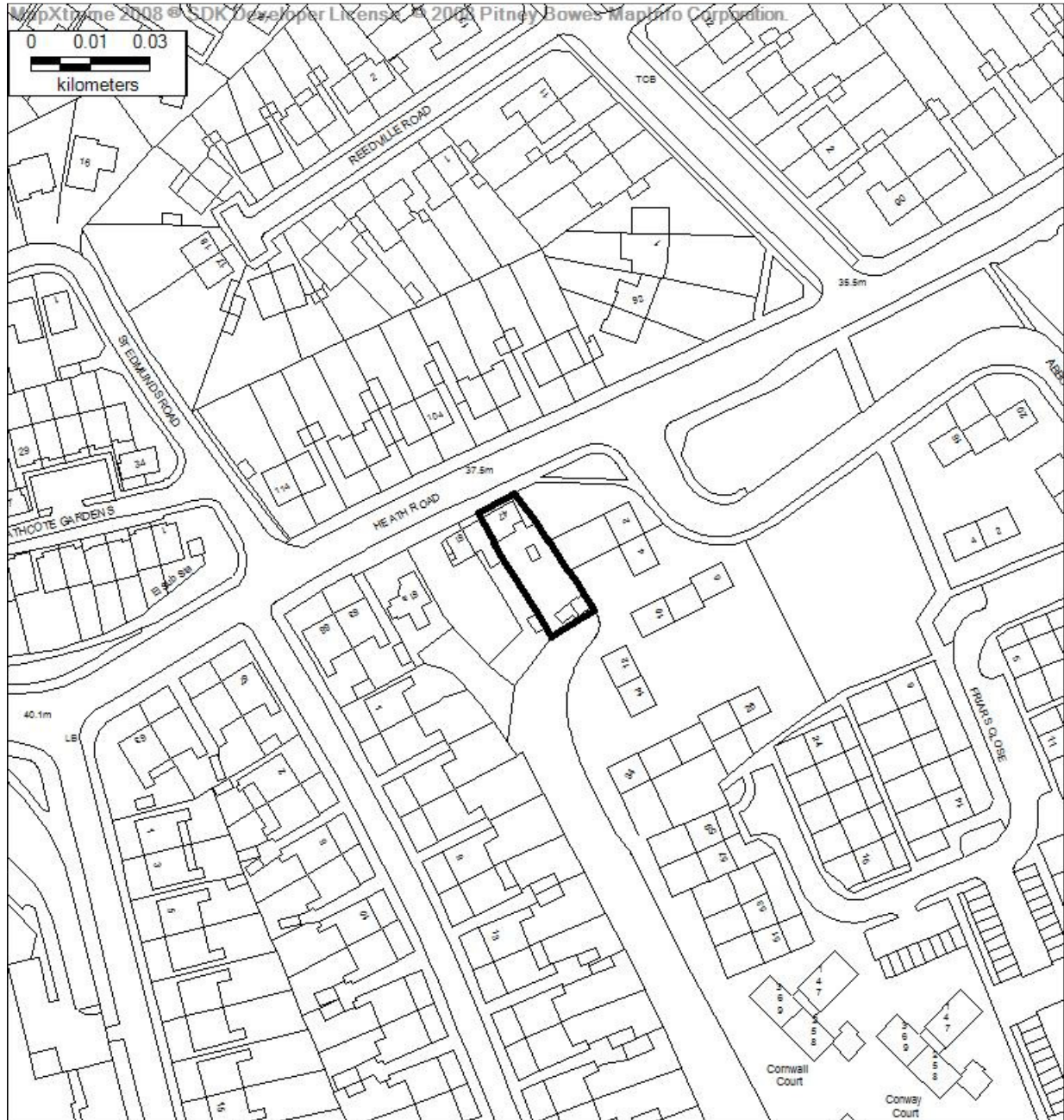
Area Team:
South Team

Case Officer:
Mrs S Lacey

Ward:
Bebington

Location: 47 HEATH ROAD, BEBINGTON, CH63 3BP
Proposal: Proposed two-storey and single-storey rear extension
Applicant: Ms A Hatton
Agent : PATERSON MACAULAY & OWENS

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:

None

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

Having regard to the Council Guidance on Publicity for Applications, 4 letters of notification were sent to neighbouring properties and a site notice was displayed. One objection was received from no.49 Heath Road citing the following concerns:

1. The two-storey extension will have an overbearing impact on the amenities of the occupiers of no.49;
2. The extension would have an adverse effect on the character and setting on the row of historic cottages;
3. The proposal will set a precedent;
4. No.49 has a Right of Way across the area where the extension is to be built.

Councillor Jerry Williams requested the application be taken out of delegation on the grounds of breaching a right of way agreement, visual intrusion, and inability to maintain new extension wall from own property.

CONSULTATIONS:

No statutory consultations required for this householder development.

Director's Comments

Consideration of this application was deferred from Planning Committee on 21 July 2016 to allow for a formal Members Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Jerry Williams requested the application be taken out of delegation on the grounds of breaching a right of way agreement, visual intrusion, and inability to maintain the new extension wall from own property.

INTRODUCTION

The application proposes a two-storey and single-storey rear extension.

An amended location plan and proposed drawing (reference P01 Rev F) was received by the LPA on 06 June 2016 indicating the shared gate will remain and an additional high level first-floor window facing north-east.

PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle subject to policy HS11 of the adopted Wirral Unitary Development Plan, SPG11 and the National Planning Policy Framework.

SITE AND SURROUNDINGS

The site comprises an end-terrace brick two-storey cottage, situated in a Primarily Residential Area. To the rear of the property is a detached garage and 25m long garden bounded by a 2m high fence. The adjoining property no.49 has a single-storey rear extension which projects approximately 4.5 metres from the rear elevation of the property within 1 metre of the party boundary. The extension serves a kitchen and the outlook is into the rear garden. Between the extension and the 2m high fence is a window serving the dining area/lounge of no.49, which has the principle outlook to the front of the property. No.49 has a first-floor window centrally positioned in the rear elevation, which serves a bedroom.

POLICY CONTEXT

The application shall be assessed against policy HS11 and SPG11 of the adopted Wirral Unitary Development Plan. Policy HS11 sets out where a rear extension is two-storey and the existing house is semi-detached, the proposed extension is set back at least 2.5 metres from the party boundary. SPG11 echoes this advice and maintains rear extensions should be 2.5 metres off the party boundary

to ensure the development does not dominate nor materially alter the existing levels of sunlight, privacy and daylight of adjoining properties.

APPEARANCE AND AMENITY ISSUES

Policy HS11 and SPG11 set out where a rear extension is two-storey, the proposed extension is set back at least 2.5 metres from the party boundary to ensure the outlook from habitable windows is not affected and the development does not dominate nor materially alter the existing levels of sunlight, privacy and daylight of adjoining properties. In this instance no.49 has a centrally positioned first-floor bedroom window which retains its 45 degree outlook and the proposal is not considered to harm levels of light or privacy to this room. At ground floor there is a small window serving the lounge/dining room of no.49. This is a smaller, secondary window serving this room, and the principle outlook of this room is to the front elevation of the property. This secondary window to the rear is already significantly affected by the 4.5m rear extension and 2m high fence, and has a limited outlook and levels of daylight.

As such, the proposed extension is considered acceptable in scale and design, and is not considered to result in overlooking or loss of light to neighbouring properties. The proposed extension reflects the original roof design. There are no significant adverse impacts on the neighbouring properties or on the street scene. The proposal is not considered to harm the outlook to the neighbouring properties. A sufficient amount of garden space remains.

The proposal complies with relevant Council policy HS11 of the adopted Wirral Unitary Development Plan, SPG11 and the NPPF, and is recommended for approval. It is not considered any conditions are required other than the standard 3 years to commence development in accordance with the submitted plans.

One objection was received from no.49 Heath Road citing concerns the proposal will be overbearing to their property and detrimental to the character of the area, as well as setting a precedent and raising the issue of the Right of Way across the application site. As discussed above, a site inspection has determined the proposal is not considered harmful to any primary habitable windows, and the proposal is not considered overbearing or visually intrusive when viewed from no.49. The proposal is to the rear of the property and is not considered harmful to the character of the area. Each application is assessed on its own merits and the proposal is not considered to set a precedent for future development. Covenants or other restrictions in the title of a property may require other's agreement before carrying out work to property, and the issue of a private Right of Way does not fall within the remit of planning. The proposal is adjacent to the party boundary shared between no.47 and no.49. The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes. The Act is separate from obtaining planning permission or building regulations approval.

The proposal complies with relevant Council policy HS11 of the adopted Wirral Unitary Development Plan, SPG11 and the NPPF, and is recommended for approval.

SEPARATION DISTANCES

SPG11 recommends a 21m separation distance between habitable windows to prevent overlooking. A 22m rear garden is retained and there is no direct overlooking to the property to the rear. There are no windows facing no.49. The proposed window facing north-east do not directly overlook no.2 Abbots Drive and a 20m separation distance remains. It is considered reasonable to condition this window is obscurely glazed. The proposal is not considered to result in overlooking or loss of privacy.

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.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal does not result in loss of privacy, daylight or sunlight to neighbouring properties. The proposal is acceptable in size and design, complies with Council policy HS11 House Extensions of the adopted Wirral Unitary Development Plan, Supplementary Planning Guidance Note 11 House Extensions, 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 acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal does not result in loss of privacy, daylight or sunlight to neighbouring properties. The proposal is acceptable in size and design, complies with Council policy HS11 House Extensions of the adopted Wirral Unitary Development Plan, Supplementary Planning Guidance Note 11 House Extensions, 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 25 May 2016 and listed as follows: drawing numbers 4588 S01 (dated 04:16) and the amended drawing received 06 June 2016 drawing number 4588 P01 Rev F (dated 04:16).

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

3. The proposed first floor window facing north-east shall not be glazed otherwise than with obscured glass and fixed shut or top hung opening 1.7 metres above finished floor level, and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS11 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 30/06/2016
Expiry Date: 20/07/2016

Planning Committee

18 August 2016

Reference: APP/16/00693 Area Team: North Team Case Officer: Miss A McDougall Ward: Moreton West & Saughall Massie

Location: 2 GIRTRELL ROAD, UPTON, CH49 4LQ
Proposal: Erection of three bedroom detached house to rear of garden
Applicant: Mr & Mrs Condron
Agent: N/A

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

No planning history

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

Having regard to the Council Guidance on Publicity for Applications, 14 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report, a Qualifying petition of objection has been received containing 43 signatures and 26 objections have been received, listing the following grounds:

1. cramped development
2. impact onto neighbouring residential amenity
3. impact on drainage and flooding
4. difference in land levels
5. loss of garden
6. loss of wildlife habitat
7. traffic implications
8. loss of light
9. neighbouring trees
10. loss of privacy and outlook
11. impact onto neighbouring gardens
12. driveway crosses the front garden of no.16 Wellbrae Close (land registry details attached to objection letter from 16 Wellbrae Close)
13. out of character

CONSULTATIONS:

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

Wirral Wildlife - Not a known habitat however advisory comments regarding protected species.

Director's Comments:

Consideration of this application was deferred from Planning Committee on 21 July 2016 to allow for a formal Members Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Blakeley has requested that the application be taken out of delegated powers by reason of its height, siting and coverage of the small backland site, which would result in a cramped development that would have an unsympathetic relationship to nearby properties. Furthermore it would detract from the amenities of adjoining residents by reason of its proximity to side boundaries, overlooking and loss of privacy.

A qualifying petition of objection containing 43 signatures has also been received.

INTRODUCTION

The proposal is for the erection of a detached two-storey dwelling to the rear of 2 Girtrell Road.

PRINCIPLE OF DEVELOPMENT

The proposal is for the erection of a dwelling in a Primarily Residential Area, the principle of development is considered acceptable, subject to current planning policies.

SITE AND SURROUNDINGS

The application site is located to the rear of no.2 Girtrell Road but would be orientated to face onto Wellbrae Close to the rear of 2 Girtrell Road. The surrounding area is residential in character and the houses are two-storey and semi-detached post war dwellings. The gardens of the properties on Girtrell Road are very long and run down to meet the more recent residential developments on Wellbrae Close and Girtrell Close. The site is also bounded by the rear gardens of dwellings along Saughall Massie

Road, the general character of boundary treatments is timber fencing and mature vegetation.

POLICY CONTEXT

The proposal is for the erection of a new dwelling in a residential area, as such the proposal will be assessed in accordance with Wirral's UDP Policy HS4 and the National Planning Policy Framework.

Policy HS4 states; Proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- (iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;
- (v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- (vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- (vii) the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

The environment around the home has a major impact on residents' quality of life. When new residential development is proposed, both on allocated sites where a new environment is being created and where new housing is proposed within the existing residential areas, it is important that new housing blends in well with that already built and creates a safe external environment.

The NPPF states; Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

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.

APPEARANCE AND AMENITY ISSUES

The proposal is for a detached dwelling, the design of the property is a traditional style that reflects the design of housing within the immediate area. The dwelling is two-storey, three bedrooms with a single storey garage to the side.

In terms of the Councils current policies, the principle of erecting a dwelling within the residential area is acceptable, the proposed siting also meets the Councils current interface distances in terms of window to window outlook.

The dwelling is to be constructed within close proximity to the side boundary with no.4 Girtrell Road, the design of the house includes a single storey element adjacent to this boundary in order to provide a visual break between the application site and the neighbouring properties. The two-storey element of the dwelling is situated between 4m and 6.5m from the side boundary with 4 Girtrell Close and approximately 22m from the rear windows of 4 Girtrell Close.

In terms of the visual setting of the proposed dwelling the house would sit within the streetscene of Wellbrae Close and would be at the end of the road, it is considered that the siting of the dwelling is not out of character with Wellbrae Close. Many of the properties on Girtrell Road have large gardens with depths up to 40m, many of these properties do not have the potential for rear access and could not be developed in a similar way as the current proposal.

The proposed dwelling would form part of the street scene of Wellbrae Close and would be located at the end of the close within the turning head, the application plans show vehicle access and off road parking. Concerns have been raised from neighbouring properties due to a strip of land outside of the site on Wellbrae Close and that the land belongs to 16 Wellbrae Close, therefore the proposed driveway may not be achievable without agreement from the land owner however land ownership is not a planning consideration in this instance.

Objections have been raised with regard to the impact of the development on local wildlife and gardens, following consultation with Wirral Wildlife, it has been acknowledged that the area is not a known bat haven however advisory comments have been included in relation to bats as a protected species. In terms of the impact onto neighbouring gardens, the development will be within close proximity to the side boundary of 4 Girtrell Road and the rear boundary of 203 Saughall Massie Road, the gardens of these properties are substantial and attractive that are well kept.

SEPARATION DISTANCES

The siting of the dwelling meets the Councils current interface distances of 21m window to window (habitable rooms) and 14m window to blank elevation. The properties on Saughall Massie Road are approximately 30m from the side elevation of the dwelling, no.2 and no.4 Girtrell Road are 21m away window to window, the development does not introduce window to window overlooking to the dwellings on Wellbrae Close.

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

It is considered that the proposal is acceptable in terms of siting, scale, appearance and having regard to Wirral's UDP Policy HS4.

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:-

It is considered that the proposal is acceptable in terms of siting, scale, appearance and having regard to Wirral's UDP Policy HS4.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19 May 2016.

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. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

Reason(s): To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

5. Prior to commencement of development a plan and scheme of works outlining the vehicle access, vehicle parking, turning, manoeuvring, levels, surface, drainage and the materials to be used shall be submitted to and agreed in writing prior to first occupation of the dwelling and these areas shall be retained thereafter for that specific use.

Reason: In the interests of highway safety and to accord with Policy HS4 in the in the Wirral Unitary Development Plan

6. On insertion the windows hereby approved at first floor to the south facing side 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 residential amenity.

7. 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 policies WM8 and WM9 of the Waste Local Plan.

8. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, 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 previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

Further Notes for Committee:

1. If any bats are found, it is a legal requirement that work must cease and advice sought from a licensed bat ecologist. Bats are known to be active in this area and all British Bats are European Protected Species under the Habitat Regulations 2010. They are also a UK protected species under Schedule 5 of the Wildlife and Countryside Act 1981 as amended. To avoid harmful effects on bats please ensure that all exterior lighting should follow the guidance of the Bat Conservation Trust www.bats.org.uk

Last Comments By: 05/07/2016

Expiry Date: 28/07/2016

Planning Committee

18 August 2016

Reference:
APP/16/00694

Area Team:
North Team

Case Officer:
Mr N Williams

Ward:
New Brighton

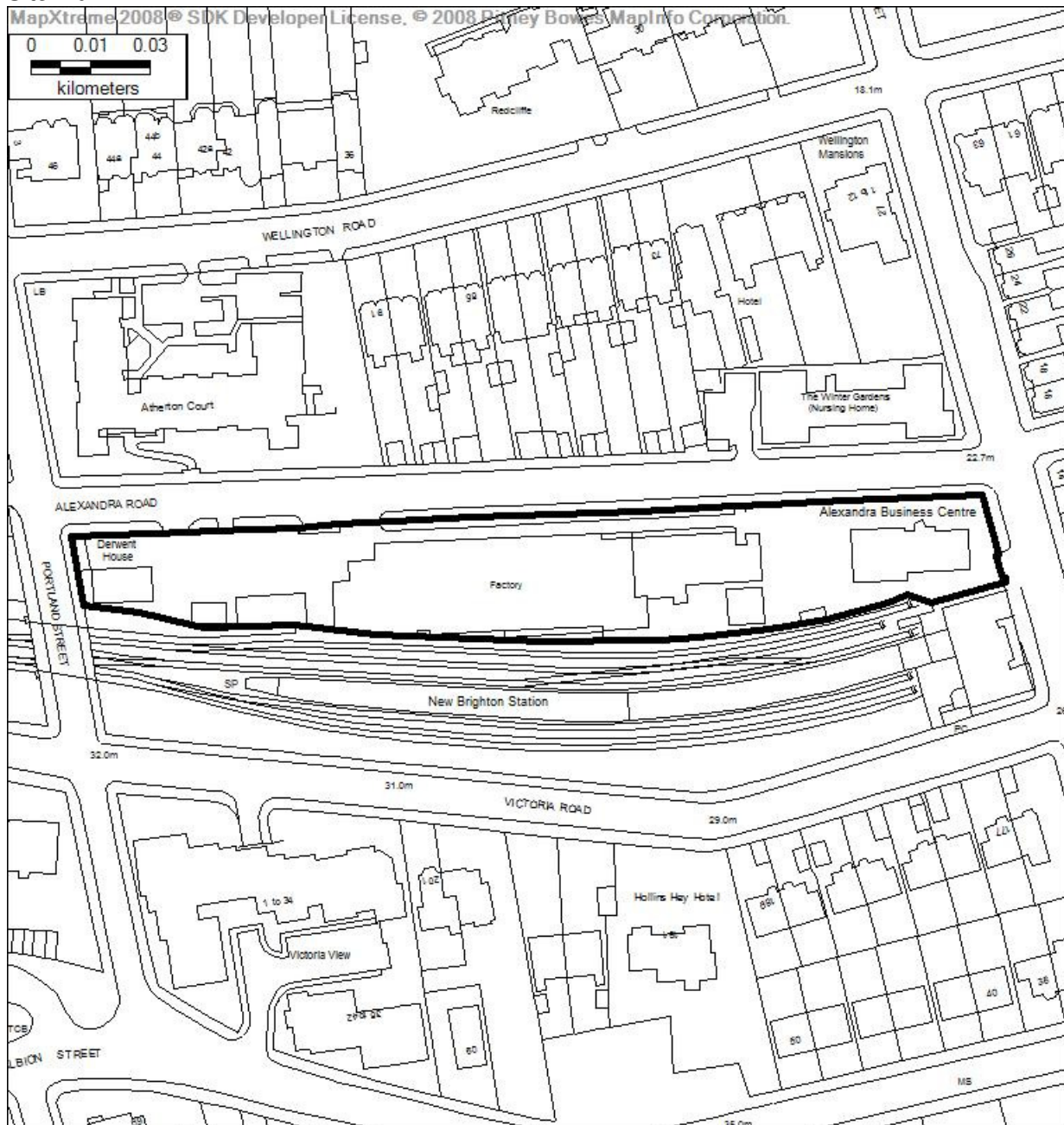
Location: Hurstwoods International Ltd, ALEXANDRA ROAD, NEW BRIGHTON, CH45 0JZ

Proposal: Erection of 2 No. four-storey 80-bed residential care homes with associated external works and landscaping after demolition of existing food processing factory and associated buildings

Applicant: c/o NJSR Chartered Architects LLP

Agent : NJSR Chartered Architects LLP

Site Plan:



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Development Plan Designation:

Primarily Industrial Area

Planning History:

Location: Stanley House, Alexandra Road, New Brighton
Application Type: Full Planning Permission
Proposal: Extension to existing offices, revised car park layout and lock up garage
Application No: APP/76/05042
Decision Date: 17/06/1976
Decision Type: Approved

Location: 5 Alexandra Road New Brighton L450jz
Application Type: Full Planning Permission
Proposal: Erection of light industrial building for preparation and packaging of pre-cooked meats, bacon and sausages
Application No: APP/76/06309
Decision Date: 12/01/1977
Decision Type: Approved

Location: S Alexandra Road New Brighton L450jz
Application Type: Full Planning Permission
Proposal: Erection of light industrial building for preparation and packaging of pre-cooked meats, bacon and sausages
Application No: APP/77/06969
Decision Date: 26/04/1977
Decision Type: Approved

Location: Jaka Foods Group Ltd. Alexandra Road ,New Brighton ,L45 0JZ
Application Type: Full Planning Permission
Proposal: Use for preparation and packaging of pre-cooked meats, bacon and sausages and alterations to existing office building
Application No: APP/77/07342
Decision Date: 22/06/1977
Decision Type: Approved

Location: Jaka Foods Group Ltd. Alexandra Road ,New Brighton ,L45 0JZ
Application Type: Full Planning Permission
Proposal: Extension to food processing plant
Application No: APP/77/08629
Decision Date: 28/11/1977
Decision Type: Approved

Location: Jaka Foods Group Ltd. Alexandra Road, New Brighton,CH45 0JZ
Application Type: Full Planning Permission
Proposal: Erection of office and toilet accommodation.
Application No: APP/79/11818
Decision Date: 08/03/1979
Decision Type: Approved

Location: Jaka Foods Ltd. Alexandra Road ,New Brighton ,L45 0JZ
Application Type: Full Planning Permission
Proposal: Erection of maintenance workshop
Application No: APP/80/15090
Decision Date: 12/06/1980
Decision Type: Approved

Location: Jaka Foods ,Alexandra Road ,New Brighton ,L45 0JZ
Application Type: Full Planning Permission
Proposal: Extension to existing food processing building and M.A.N.W.E.B. substation
Application No: APP/80/16396
Decision Date: 28/10/1980
Decision Type: Approved

Location: Jaka Foods, Alexandra Road, New Brighton,Wirral,L45 0JZ
Application Type: Full Planning Permission
Proposal: Erection of workers amenity accommodation.
Application No: APP/82/20292
Decision Date: 22/07/1982
Decision Type: Approved

Location: Jaka Foods, Alexandra Road, New Brighton,L45 0JZ
Application Type: Full Planning Permission
Proposal: Extension to existing office and amenity block.
Application No: APP/83/21919
Decision Date: 03/03/1983
Decision Type: Approved

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council's Guidance for Publicity on Planning Applications, 194 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been a petition of objection containing 105 signatures together with 22 individual letters of objection received. The objections can be summarised as:

1. Loss of parking and highway safety concerns;
2. Height and scale of building is too great;
3. Proposal would appear overbearing and unneighbourly;
4. Proposed materials and design is inappropriate;
5. Loss of light and overlooking;
6. Loss of view
7. Potential negative impact on nearby conservation area; and
8. Housing would be more appropriate than care homes

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 TO PLANNING COMMITTEE

The application is a departure from the Unitary Development Plan, and in addition a qualifying petition of objection containing 105 signatures was received.

INTRODUCTION

The application is for the demolition of the existing food processing factory and other buildings on the site, and the erection of 2 No. four-storey residential care homes. The development includes associated external works, landscaping and parking.

SITE AND SURROUNDINGS

The application site at present contains a food processing factory and associated buildings, together with a small office building - all these buildings are now vacant.

The southern boundary of the site adjoins New Brighton train station. Although there are a small number of commercial/retail units opposite the train station on Atherton Street, the wider area is largely

residential, with a mix of dwelling types, ranging from large care homes to more traditional two-storey dwellings.

There is significant difference in land levels within the local area, with the land falling to the north and rising to the south.

POLICY CONTEXT

The site is designated as a Primarily Industrial Area, in Wirral Unitary Development Plan where there is no provision for residential care homes (Use Class C2). The application is, therefore, a departure from the Unitary Development Plan. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The Wellington Road Conservation Area is within 90 metres of the site. Therefore, potential impacts on the setting and special character of this area needs to be considered under the terms of UDP Policies CH2 and CH18.

The Joint Waste Local Plan for Merseyside and Halton also is also part of the statutory Development Plan.. Policy WM8 requires development to incorporate measures for achieving efficient use of resources. Policy WM9 will require development to provide measures for waste collection and recycling.

The Council has resolved that the Core Strategy Local Plan - Proposed Submission Draft (December 2012) and its supporting documents including the Wirral Employment Land and Premises Study Update (BE Group, 2012) and will be material considerations for the purpose of determining planning applications. The Council has also published a series of initial proposed modifications to the Proposed Submission Draft in July 2013, which should also be considered, although these have not yet been confirmed as Council policy.

Weight can be given to the emerging Core Strategy according to its stage of preparation, the significance of unresolved objections and the degree of consistency with NPPF (paragraph 216 refers).

Whilst full or significant weight cannot yet be accorded to the Core Strategy, insofar as the Proposed Submission Draft Core Strategy has been prepared in accordance with the NPPF and is at the final stage of public consultation before submission for examination in public, it should be given some weight as material consideration in the determination of this application, including the continued focus on maintaining industrial areas in Wallasey.

The main material considerations in relation to this application include:

- the need for industrial development;
- the prospects of the site being used for employment uses;
- the consequences of the proposed development for existing centres, the potential impact on the character of the area and amenity issues (Design, Access and Landscaping) and the degree of conformity with UDP Policy HS8: Nursing Homes/ Residential Care Homes

Loss of employment land

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, and recognise that businesses should not have unreasonable restrictions put on them because of changes in nearby land use, but expects planning policies to avoid long term protection of employment premises where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect, applications for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities (NPPF paragraphs 18-22 & 123 refer).

Although UDP Policy EM8 only makes provision for industrial uses within Use Classes B1, B2 and B8, draft Core Strategy Policy CS17 as amended following representations, proposes, in line with national policy, to continue to safeguard designated employment areas, with provision for compatible alternative uses:-

- where the site is not suitable for one of the priority sectors;
- there has been continuous marketing at realistic prices and there is no reasonable prospect of the site being re-used for employment purposes;
- 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; and 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, and contribute to more sustainable patterns of development.

The Council's Employment Land and Premises Study found a serious shortage of immediately available, serviced, developable employment land with utilities and road access already in place and found that a large proportion of the existing potential supply was already being considered for alternative uses, which could seriously affect the Borough's ability to maintain a credible future supply of employment land. In the case of Alexandre Rd, the study indicated that this area should be retained, unless no longer marketable for industrial or office use.

In terms of the market signals for this particular site, the applicant has submitted evidence showing that the premises have been marketed for sale or to let since May 2014, with various advertising methods undertaken such as a large board located at the site, advertising online and regular mailshots to potential interested parties. The only enquiry received for an appropriate industrial use was from an Irish meat packing company in July 2014, but they concluded that the location was unsuitable due to the close proximity of residential properties and the inadequate size of the yard. There have been no further enquiries or expressions of interest in the site and it therefore appears that there is little interest in the site for industrial purposes.

The applicant has also considered the prospects for redeveloping the site for offices (Use Class B1a) and produced calculations based on build costs and expected profit to show that this would be unviable. Redevelopment for new general industry or warehouse accommodation was discounted due to the proximity of the residential area.

In this particular case, it can be accepted that the site has been marketed over 2 years without attracting interest for the industrial uses permitted under UDP Policy EM8, which are unlikely to be viable without grant funding in the longer term. It is considered that the proposed end use could sit comfortably alongside the neighbouring residential area. It is anticipated that the proposed care home could create a total of 55 full time equivalent jobs, which adds weight in favour of the proposed scheme as potential economic benefit.

APPEARANCE AND AMENITY ISSUES

SCALE

There is considerable variety in the scale of buildings within the surrounding area. There are a number of traditional two-storey dwellings, of varying design and sizes whilst opposite New Brighton train station are three-storey buildings with commercial on the majority of the ground-floors. There are also larger, more substantial buildings such as the two other residential homes opposite the application site on either end of Alexandra Road - the three-storey Atherton Court on the corner of Portland Street and the part four-storey Winter Gardens on the corner of Atherton Street. The newly developed Hotel Victoria site (Victoria View) and the adjacent 'Warren Hurst' are located on the other side of the railway line and set at a much higher level than the application site, and both of these are also four-storeys in height.

Given this context, the scale of the proposed buildings are considered to be suitable and will not appear particularly out of scale with the surrounding area. The site is approximately 220 metres long and the proposed buildings are each approximately 58 metres in width, giving a total of 116 metres which is little over half the site, allowing for considerable open aspects for both car parks and landscaping/amenity areas, ensuring that the scheme does not appear as an overdevelopment of the site. Given the length of the site and in comparison of the current situation at the site, where there are a number of unsightly

industrial buildings located within extensive areas of hard standing, the proposed development will appear as an improvement, with significant landscaping helping to enhance the appearance of the site.

With regards the height of the buildings, four storey buildings are not rare within the immediate area and it is therefore considered that the buildings will not be out of scale. Given the presence of two substantial care homes opposite the site, and the presence of Victoria View and Warren Hurst further up the hill, the proposed buildings will be generally in keeping with the existing urban grain. There are of course a number of smaller dwellings also in the surrounding area, but the nearest to the proposed buildings are on Atherton Street or to the north of the site, facing Wellington Road. These smaller buildings are normally for single dwellings, whereas buildings in the area for care homes and flats are generally larger structures, often four-storeys tall, as would be expected.

The buildings will be set back from the pavement by approximately 3.5 metres, with soft landscaping in front and this will help to soften the appearance of the building, whilst the design of the buildings will also help to break up the scale of them, with various projecting bays, differing ridge heights and a mix of materials giving interest to two large buildings which could otherwise have appeared as two unsightly, monolithic structures. The buildings have been designed with flat roofs in order to minimise their overall scale and massing, and it is considered that the scale of these buildings are both suitable for this long, linear site and are also similar in scale to other large buildings within the immediate area.

DESIGN

The proposed buildings have been designed having regards to the fact that they are both large, substantial buildings with significant effort made to break up this scale and massing whilst also providing sufficient design and character. To do this, the buildings incorporate numerous projecting bays, balconies, long vertical windows and different roof heights, together with a mix of materials. The applicant states that 'an overtly modern appearance ran the risk of alienating potential users, and likewise a wholly traditional scheme would have been unwieldy in scale and inappropriate within the context' and this is considered to be an acceptable review of the situation. The proposal has therefore been designed to be domestic to some extent but with some modern features which help to provide character and interest. The use of bronze cladding, whilst not particularly prevalent to the area, has been used to good effect elsewhere and will give the building a unique appearance, which many other buildings in the surrounding appearance have. Given the extensive diversity of design and materials within the surrounding area, the proposed materials will merely add to this variety as opposed to being harmful to it. The proposed buildings are considered to be well designed and will be a positive addition to the streetscape.

Given the location and shape of the site, the buildings have been designed with active frontages on all four sides, ensuring that there are no blank/plain elevations, and that they will provide interest and character on each of the surrounding roads. Even the rear of the scheme, which will be visible from across the railway line on Victoria Road will be an improvement on the current appearance of the site, with the projecting bays and differing roof height and materials also being utilised there. The proposal will be set back from Atherton Street, with a landscaped amenity area approximately 20 metres deep softening the impact of the building, and helping the scheme to have a positive impact upon the street scene when compared to the current situation.

IMPACT ON CONSERVATION AREA

Wellington Road Conservation Area is located to the north of the site, approximately 70 metres from the application site. Those properties on the northern side of Wellington Road being within the site, but the properties on the southern side of Wellington Road being outside. These properties, together with the large care homes either end of Alexandra Road, will largely screen the proposed buildings from the conservation area and whilst the change in land levels will make the proposal more prominent than if the land was flat, any views of it from within the conservation area will be minimal and will generally blend in with the wider streetscape and those other buildings further up the hill. As such, it is considered that the proposed development will have minimal impact upon Wellington Road Conservation Area and could be accepted within the terms of UDP Policies CH2 and CH18.

IMPACT ON RESIDENTIAL AMENITY

The windows on the front elevation of the proposed will be approximately 17 metres from the rear boundary of properties fronting Wellington Road - with many of these boundaries also containing detached garages, with the primary area for amenity of these properties normally being closer to the

dwellings, approximately 40 metres away. This distance is therefore considered more than sufficient to ensure that there is no unacceptable levels of overlooking introduced.

The majority of the windows in the proposed buildings will comply with required separation distances, looking towards the open railway line to the rear and the open aspect between the Winter Gardens and Atherton Court to the front. The windows in part of the proposed building opposite Atherton Court will be approximately 26 metres away from facing windows in Atherton Court, which is acceptable. There will be some windows which are only 18 metres from windows in the Winter Gardens. Whilst this is slightly less than required separation distances, the pattern of development within the surrounding area often results in separation distances less than required - particularly to the east of the application site. In addition, the extremely narrow nature of the site and the benefits from developing it comply with the NPPF when it states that planning and decisions should optimise the potential of sites to accommodate development.

The windows on the side (east) elevation of Building B will be approximately 38 metres away from properties on Atherton Street, which is more than sufficient to ensure there is no adverse impact upon them.

SEPARATION DISTANCES

Separation distances are dealt with in more detail above.

HIGHWAY/TRAFFIC IMPLICATIONS

This proposal is for the demolition of a number of existing industrial / commercial units and the construction of a 160 bed care home in two blocks of 80 with 32 parking spaces (including 4 disabled spaces) and 16 cycle parking spaces. A Transport Statement has been submitted with the application. There will be two separate car parks located in the centre of the site, providing a total of 32 off-street parking spaces. Access to the parking area would be from Alexandra Road via two new vehicle crossings.

The site has good transport links, with New Brighton train station directly adjacent, in addition to bus stops and various services / amenities being in reasonably close proximity. Parking provision of 32 spaces represents 70% of the maximum under Supplementary Planning Document 4: Parking Standards. Given the sustainable location in terms of proximity to the train station, major bus routes and local amenities it is considered that this level of parking provision is acceptable.

The junctions at each end of the site (Alexandra Road / Atherton Street & Alexandra Road / Portland Street) are protected by double yellow line waiting restrictions. Alexandra Road is approximately 8.5 metres wide and parking takes place on both sides of the road. There are a number of existing vehicle crossings serving the site in Alexandra Road and Atherton Street that would be made obsolete by this development and that would require reinstatement to standard footway levels, and a condition is attached to ensure this.

In conclusion, given the sustainable location of this development and the existence of waiting restrictions on the nearby junctions, it is considered that there are no sustainable reasons to object to this proposal on highway safety or congestion grounds subject to conditions.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposal would introduce high density care home accommodation next to a railway station that provides links to other parts of the Boroughs and beyond.

HEALTH ISSUES

The proposed development would provide accommodation for people in need of care.

CONCLUSION

The loss of the site for general employment use needs to be considered against the benefits that may be accrued from the proposed development.

In light of this, the applicant has referred to estate agent marketing and produced a viability appraisal on the prospects of securing employment uses. The site has been marketed for over 12 months and there is no evidence of market interest from occupiers or developers for B1, B2 or B8 uses on the site. In the

current circumstances, it is considered that the site is unlikely to attract interest for speculative redevelopment for employment uses without grant funding.

It is considered that the proposed design of the building and landscape proposals are acceptable. On balance, taking the context of the site in relation to neighbouring uses into account alongside the requirements of local and national policy for employment it can be concluded in this particular case that the benefits from the development such as bringing the site back into use and the prospects of local job creation can be weighed in favour of the application, which is recommended for approval.

It is considered that the proposed scheme will not have an unacceptable adverse impact upon the amenities of neighbouring properties or the character and appearance of the area and therefore consistent with Wirral Unitary Development Plan Policies HS8, CH2, CH18 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 site is unlikely to attract interest for speculative redevelopment for employment uses, the proposed design of the building and landscape proposals are considered acceptable. There are there material considerations including environmental, social and economic benefits that weigh in favour of granting planning permission having regard to policies in the statutory 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 20th May 2016 and listed as follows: 1301.014 102; 1301.014 104; 1301-014 110; 1301-014 B110; 1301-014 111; 1301-014 B111; 1301-014 200; 1301-014 B200; 1301.014 210; 1301.014 300; 1301.014 400;

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

3. Before any construction commences and notwithstanding the details stated on the approved plans, 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 HS8 of the Wirral Unitary Development Plan.

4. Construction of the development authorised by this permission shall not begin until the Local Planning Authority (LPA) has approved in writing a full scheme of works for the construction of the new vehicle accesses from the highway and any amendments to the existing highway made necessary by this development, including details of the new vehicle crossing accesses constructed in accordance with the LPA commercial crossing specification and the reinstatement to standard footway level of any existing access from the highway rendered obsolete by the development. The approved works shall be completed in full in accordance

with the LPA written approval prior to occupation of the development

Reason: In the interests of highway safety

5. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

6. The development shall not be occupied until a full Travel Plan (based on the Interim Travel Plan submitted) has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TRT1 in the in the Wirral Unitary Development Plan.

7. 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

8. 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 previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

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

9. Surface water drainage works shall be carried out in accordance with the details contained within the submitted Drainage Strategy (*July 2016, Reference: LRD28377, Sutcliffe*) approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority.

The surface water drainage scheme shall be fully constructed prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the approved Drainage Strategy, or within any other 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.

10. 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, by the mean of an appropriate legal agreement.

Details shall include:

- i. the arrangements for adoption by a statutory undertaker or management and maintenance by a Residents' Management Company
- ii. arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - a. on-going inspections relating to performance and asset condition assessments
 - b. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- iii. means of access for maintenance.

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 the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

11. Notwithstanding the details shown on the approved plans, a full scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved scheme shall be implemented in full prior to first occupation of the site unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interest of visual amenity

12. The mitigation measures set out in Section 6 of the submitted Noise and Vibration Assessment (Acoustic & Engineering Consultants Limited, 9 May 2016) shall be implemented in full prior to first occupation and retained as such thereafter

Reason: To protect the amenity of future occupiers

13. Notwithstanding the details set out in the Noise and Vibration Assessment (Acoustic & Engineering Consultants Limited, 9 May 2016), a further assessment of vibration levels shall be submitted and approved in writing by the Local Planning Authority. Any conclusions of such a report shall be implemented in full prior to first occupation of the development

Reason: To protect the amenity of future occupiers

14. Prior to commencement of development, detailed drawings shall be submitted to and approved by the Local Planning Authority 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. The development shall be carried out and completed in accordance with the details approved

Reason: In the interest of amenity

15. Prior to commencement of development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority

Reason: To protect the adjacent railway

16. Full details of all boundary treatments shall be submitted to and approved 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 by the Local Planning Authority

Reason: In the interest of amenity

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: 28/06/2016

Expiry Date: 19/08/2016

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Planning Committee

18 August 2016

Reference:
APP/16/00859

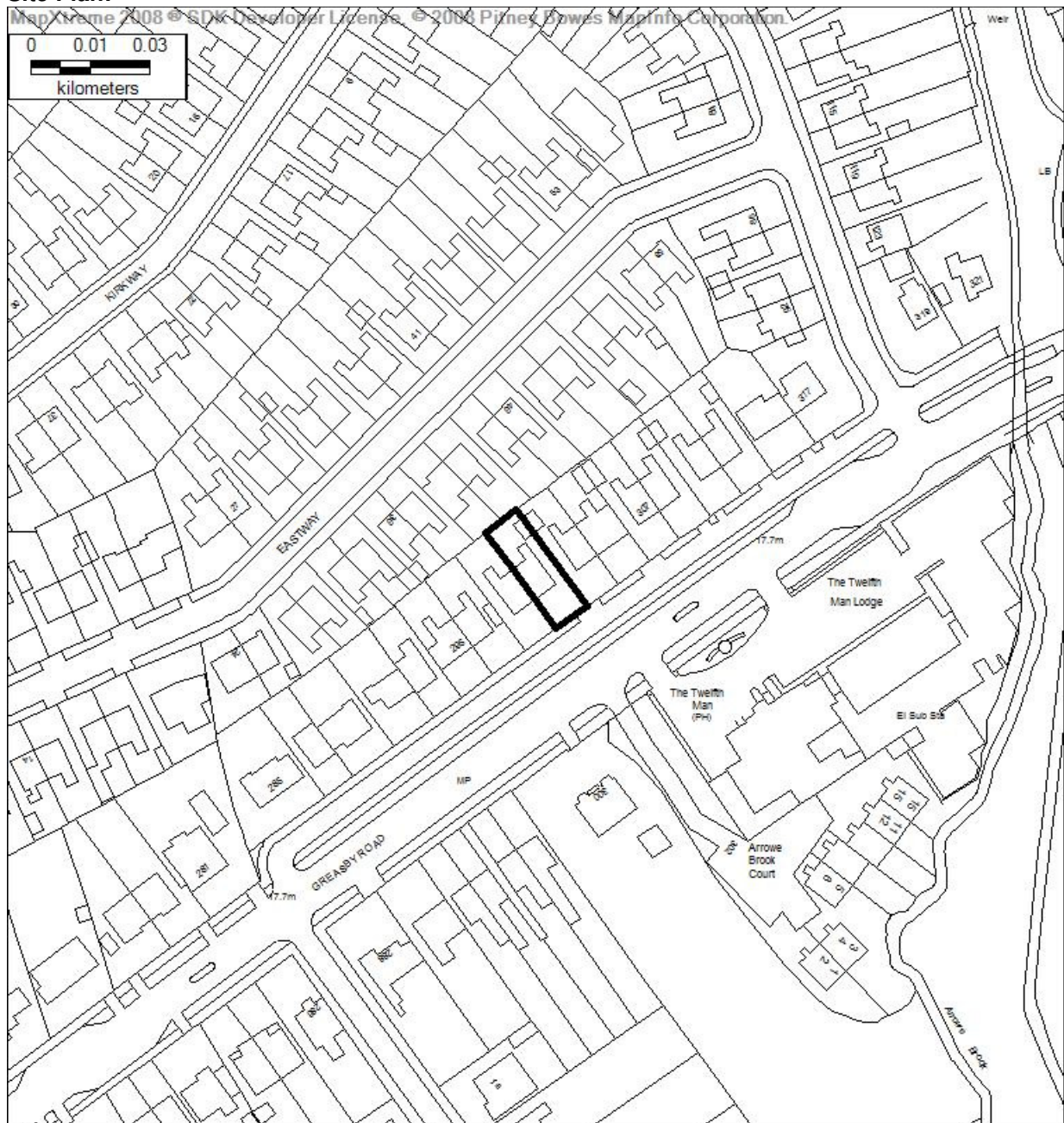
Area Team:
North Team

Case Officer:
Mr P Howson

Ward:
**Greasby Frankby
and Irby**

Location: 301 GREASBY ROAD, GREASBY, CH49 2PQ
Proposal: Erection of two storey side and rear extension
Applicant: Mrs Scott
Agent : Bryson Architecture

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

No relevant history.

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 7 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing three letters of objection to the proposal have been received and can be summarised as follows:

1. Overlooking
2. Over bearing
3. Out of character
4. Structural problems

Directors Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Wendy Clements has requested this application be removed from delegation and reported to the Planning Committee following representations she has received about this application representing an overdevelopment of the site.

INTRODUCTION

This application seeks consent for the erection of a two storey side extension to No. 301 Greasby Road, Greasby.

PRINCIPLE OF DEVELOPMENT

The application is for the extension of an existing dwelling within a primarily residential area and is therefore considered acceptable in principle.

SITE AND SURROUNDINGS

The application property comprises of a two storey semi-detached dwelling sited centrally within a regular shaped plot. The property in question features a hipped roof, front gable and facing brickwork, hanging tiles run between the ground and first floors and there is a pebbledash render across the side of the property.

This part of Greasby Road is comprised of semi-detached dwelling sited at regular intervals. Properties are of similar built form with architectural features such as asymmetrical gables, low eaves and finishing materials adding interest.

POLICY CONTEXT

The National Planning Policy Framework (NPPF) provides for a presumption in favour of sustainable development which encompasses good design.

Policy HS11: House Extensions of the Wirral UDP permits domestic extensions subject to proposals being of an appropriate scale in relation to the size of the plot and not unduly dominant with regard had to the effect on light to and the outlook from neighbours habitable rooms and to not result in significant overlooking. Policy HS11 also seeks proposals to replicate the design features of the existing dwelling and to be finished in matching materials.

The Supplementary Planning Guidance: House Extensions encourages better standards in design.

APPEARANCE AND AMENITY ISSUES

The application proposes the erection of a two storey side extension. Policy HS11 of the Wirral UDP seeks domestic extensions to replicate design features of existing dwellings such as eaves and roof form. The Supplementary Planning Guidance on House Extensions sets out specific guidelines for two storey side extensions and states that proposals should feature a 1 metre set back from the front of the

dwelling and adopt a lower ridge height.

The proposal would replicate the roof form of the existing dwelling and adopt a lower ridge height. The proposal would feature a first floor set back and would thus appear subservient. The application proposes materials to match and the proposal is acceptable in this respect.

In respects of neighbouring amenity, the majority of the proposed works would be constructed adjacent to the side elevation of No. 303 Greasby Road and the proposal is considered acceptable in this respect. Whilst the proposed extension would extend beyond the main face of the rear of the property it would fall adjacent to an existing ground floor extension to the rear of No. 303 and is therefore not anticipated to be significantly visually overbearing and is acceptable in this regard.

The applicant submitted amended plans reconfiguring the floor space at the request of the Local Planning Authority with bathrooms located to the rear. An obscure glazing condition has been imposed and the proposal therefore satisfies the interface distances as set out within the Supplementary Planning Guidance and is acceptable in this respect.

Other matters

Over the course of this application three letters of representation have been received objecting to the proposal, summary of comments;

- a) Overlooking
- b) Over bearing
- c) Out of character
- d) Structural problems

At the request of the Local Planning Authority the applicant submitted an amended plan which reconfigured the floor space with the habitable living space to the front with the bathrooms to the rear. An obscure glazing condition has therefore been imposed and the proposal is not considered to result in any significant overlooking.

The proposed extension would be constructed adjacent to the side of No. 303 Greasby Road and would extend no significantly further forward than the existing rear extension of No. 303 and is therefore not considered to be significantly visually overbearing. The proposed extension would feature a lower ridge and first floor set back which would appear subservient to the host dwelling and is acceptable in this respect.

Problems arising from the construction are not material planning considerations and thus hold no weight in the determination of this application.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

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.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed extension is considered acceptable in principle and will not have a significant adverse impact upon the character and appearance of the area or the amenity of the neighbouring properties. The application is considered to be in accordance with Policies HS11 of Wirral's Unitary Development Plan and the Supplementary Planning Guidelines: House Extensions 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 extension is considered acceptable in principle and will not have a significant adverse impact upon the character and appearance of the area or the amenity of the neighbouring properties. The application is considered to be in accordance with Policies HS11 of Wirral's Unitary Development Plan and the Supplementary Planning Guidelines: House Extensions 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 15 June 2016 and listed as follows: 001, 002 (Rev 05) and Site Location Plan

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

3. Prior to first occupation the first floor rear elevation bathroom window(s) shown on drawing No. 002 shall not be glazed otherwise than with obscured glass and non-opening up to 1.7 metres from the internal finished floor level and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS11 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 28/07/2016
Expiry Date: 10/08/2016

Planning Committee

18 August 2016

Reference:
APP/16/00965

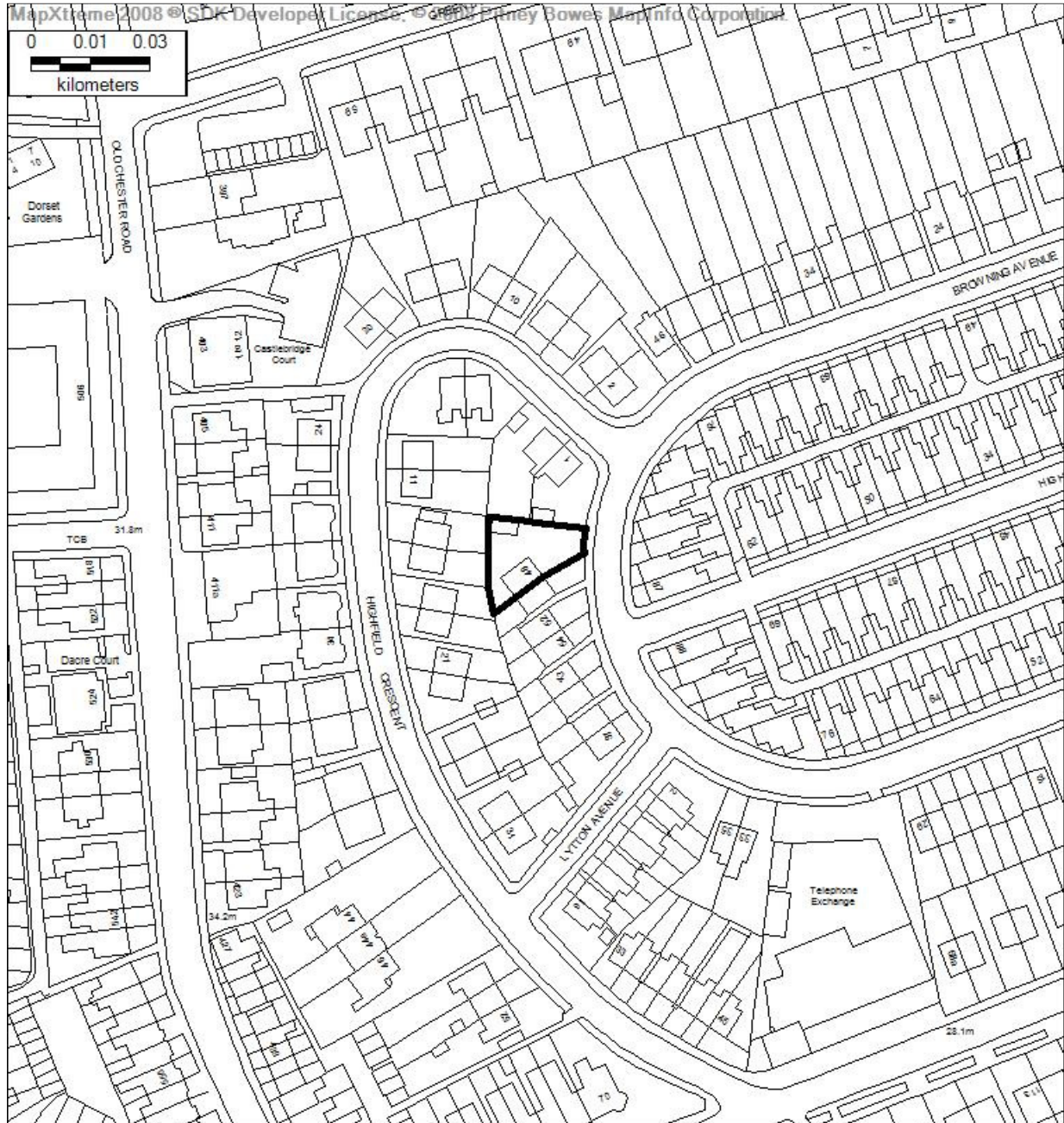
Area Team:
South Team

Case Officer:
Miss A McDougall

Ward:
Rock Ferry

Location: 48 BROWNING AVENUE, ROCK FERRY, CH42 2DF
Proposal: Single storey extension (retrospective works)
Applicant: Mr Ali
Agent : Bryson McHugh Architects

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:

Location: 48, Browning Avenue, Rock Ferry. L42 2DF
Application Type: Full Planning Permission
Proposal: Erection of a single storey extension at side.
Application No: APP/89/06099
Decision Date: 22/06/1989
Decision Type: Approved

Location: 48 BROWNING AVENUE, ROCK FERRY, CH42 2DF
Application Type: Full Planning Permission
Proposal: Two storey side extension
Application No: APP/15/00939
Decision Date: 01/09/2015
Decision Type: Refused

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

Having regard to the Council Guidance on Publicity for Applications, 8 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 3 objections have been received, listing the following grounds:

1. noise
2. appearance
3. loss of light
4. proximity to boundary
5. loss of privacy
6. extension exceeds half the width of the original dwelling

CONSULTATIONS:

No statutory consultations required for this householder application.

Directors Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor McLaughlin has requested the application be taken out of delegated powers due to the impact on neighbouring properties on Highfield Crescent.

INTRODUCTION

The proposal is for a single storey side extension, the works have been started although the structure has not been completed.

A previous application APP/15/00939 has been refused on the site for a two-storey side extension, this decision was upheld at appeal.

PRINCIPLE OF DEVELOPMENT

The proposal is for an extension to a dwelling which is considered acceptable in principle.

SITE AND SURROUNDINGS

The dwelling is a semi-detached house that is part rendered and part brick, the property is located on the western side of Browning Avenue, it is the end house in a row of four pairs of identical semi-detached houses that are built at an angle to the road and on a staggered building line.

POLICY CONTEXT

The proposal is for an extension to a dwelling and will be assessed in accordance with Wirral's UDP Policy HS11 and SPG11.

Policy HS11 states; Proposals for house extensions will be permitted subject to all the following criteria being complied with:

(i) the scale of the extension being appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours' habitable rooms and not so arranged as to result in significant overlooking of neighbouring residential property.

(ii) the materials matching or complementing those of the existing building;

(iii) design features such as lintels, sills, eaves and roof form and line matching or complementing those of the existing building;

(iv) dormer windows if used, being restricted to the rear of the dwelling and not projecting above the ridge, nor occupying the full width of the roof;

(v) flat roofs being restricted to the rear or side of the dwelling and only acceptable on single storey extensions;

(vi) where the rear extension is single storey on the party boundary and the existing dwelling semi-detached, the proposed extension projects a maximum of 3.0 metres from the main face of the existing houses;

(vii) where the rear extension is two storey and the existing house semi-detached, the proposed extension is set back at least 2.5 metres from the party boundary;

(viii) to avoid the effect of 'terracing', where two storey side extensions are added to the sides of semi-detached houses of similar style with a consistent building line and ground level, the first floor of a two storey side extension should be set back at least 1.5 metres from the common boundary; or at least 1.0 metre from the front elevation and 1.0 metre from the common boundary; or at least 2.0 metres from the front elevation;

(ix) single storey extensions on terraced dwellings allowing an adequate area of amenity space to be retained.

APPEARANCE AND AMENITY ISSUES

The proposed development is for a single storey side extension that will extend out from the original single storey side extension to the side and front, the extension will not project any further out to the rear than the existing building.

The extension comes out 1.2m from the side of the existing house and set 1.1m in from the rear building line and 1.8m from the rear building line. The extension infill's the front section of the dwelling and runs flush with the original front elevation.

The alterations include a new roof that covers the existing single storey side extension and the proposed extension, the roof design follows that of the main dwelling and is pitched away from the front and rear elevation with a gable side. The eaves height is 2.5m and to the pitch is 3.8m, concerns have been raised with regards to the impact of the extension to the rear of the properties on Highfield Crescent, the relationship between the rear elevation of the application site and the houses on Highfield Crescent is awkward in terms of proximity and orientation.

However it is considered that as the extension is stepped in from the rear boundary further than the existing rear elevation and the roof slopes away from the rear boundary, the extension does not result in a level of harm that would warrant the refusal of the planning application. Due to the width of the plot frontage, the dwelling and the plot, the extension does not appear incongruous within the street scene.

SEPARATION DISTANCES

The extension proposes one new window to the front elevation which is set approximately 17m from the rear elevation of 1 Highfield Crescent. The Council would expect a minimum distance of 14 metres. However, there are a number of mitigating factors that would weigh in favour of allowing this shortfall. Between the two properties is a 1.8 metres high boundary fence and an existing outbuilding at 1 Highfield Crescent which obscures outlook and therefore protects privacy. Given the extension at 48

Browning Avenue is single storey, together with existing boundary features, there is unlikely to be any significant loss of amenity or privacy resulting for neighbouring properties. A distance of approximately 28m from dwellings on the opposite side of Browning Avenue (notably No. 81) is achieved. The proposal is therefore considered to meet the Council's interface distances of 14m window to blank wall 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 single storey front and side extension is considered acceptable in terms of scale, siting and impact to neighbouring properties having regard to Wirral's UDP Policy HS11 and SPG11.

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 single storey front and side extension is considered acceptable in terms of scale, siting and impact to neighbouring properties having regard to Wirral's UDP Policy HS11 and SPG11.

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 8 July 2016 and listed as follows: 2015 056 300 002 Rev.04.

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

3. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS11 of the Wirral Unitary Development Plan.

Last Comments By: 12/08/2016

Expiry Date: 02/09/2016

WIRRAL COUNCIL

PLANNING COMMITTEE

18 AUGUST 2016

SUBJECT:	Removal of requirement for a Section 106 Legal Agreement for the provision of affordable housing on APP/14/01198 – Erection of 10 dwellings on land adjacent to The Rectory, Mark Rake, BROMBOROUGH
WARD/S AFFECTED:	BROMBOROUGH
REPORT OF:	Head of Regeneration and Planning Regeneration and Environment Department
RESPONSIBLE PORTFOLIO HOLDER:	Councillor Phil Davies
KEY DECISION?	No

1.0 EXECUTIVE SUMMARY

- 1.1 Planning application APP/14/01198 was reported to Planning Committee on 18 February 2016 where it was resolved to approve the development of 10 dwellings on this site subject to conditions and a Section 106 Legal Agreement. The application was subject to a formal site visit by Members prior to the decision being taken.
- 1.2 Since the decision of the Planning Committee, the Court of Appeal has ruled that contributions for affordable housing should not be sought from small scale and self-build developments.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The development sought outline planning permission for the erection of 10 dwellings on this site. The decision to approve the application included a requirement that the developer enters into a S106 Agreement to ensure that on-site affordable housing provision was secured.
- 2.2 In 2014, the Government had introduced into planning policy an exemption for small sites (10 units or fewer) from affordable housing contributions. However, on 31 July 2015 this decision was successfully challenged in the High Court by West Berkshire District Council and Reading Council which effectively re-instated the threshold for affordable housing contributions on developments of 5 dwellings or more.

- 2.3 This decision meant that APP/14/01198 was considered having regards to the 31 July 2015 High Court decision and a Section 106 Legal Agreement seeking on-site provision of affordable housing was approved by the Planning Committee on 18 February 2016.
- 2.4 The applicant for this application has not yet entered into the Section 106 Agreement and therefore, the permission has not yet been formally granted. Following the Court of Appeal judgement of 11 May 2016, which ruled the 2014 ministerial statement exempting small sites from affordable housing contributions was not unlawful, in the case of this application which seeks permission for a development of 10 units, the Council is unable to require affordable housing provision on this site.
- 2.5 On the basis of the above, the Council is unable to require the developer to enter into a Section 106 Agreement to secure affordable housing on this development and this should now be removed from the Committee resolution of 18 February 2016.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4.0 LEGAL IMPLICATIONS

- 4.1 As the Section 106 Legal Agreement cannot now be required, there are no legal implications arising from this report.

5.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 5.1 As Planning Committee as already considered the planning merits of this development and determined that they were acceptable, there are no additional resource implications arising from this report in terms of further determining this application.

6.0 RELEVANT RISKS

- 6.1 There are no direct implications arising from this report

7.0 ENGAGEMENT/CONSULTATION

- 7.1 APP/14/01198 was subject to statutory publicity when the application was first submitted to the Council. Representations made to the Council were summarised for Planning Committee in the case officers report of 18 February 2016 and all planning material considerations were taken into account when considering this development.

8.0 EQUALITY IMPLICATIONS

- 8.1 There are no direct equality implications arising from this report.

9.0 RECOMMENDATION/S

- 9.1 That the requirement for a Section 106 Legal Agreement to secure on-site affordable housing provision be removed from the Planning Committee's resolution of 18 February 2016 and that authority be delegated to the Head of Planning and Regeneration to now APPROVE the application subject to conditions as outlined in the attached report considered by Members on 18 February 2016.

10.0 REASON/S FOR RECOMMENDATION/S

- 10.1 To reflect the recent Court of Appeal judgement and to enable a decision to be issued on the planning application without further delay.

REPORT AUTHOR: Joanne Storey
Principal Planning Officer
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APPENDICES

Planning Committee Report APP/14/01198 from 18 February 2016

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Planning Committee	18 February 2016

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Planning Committee

18 February 2016

Reference:
APP/14/01198

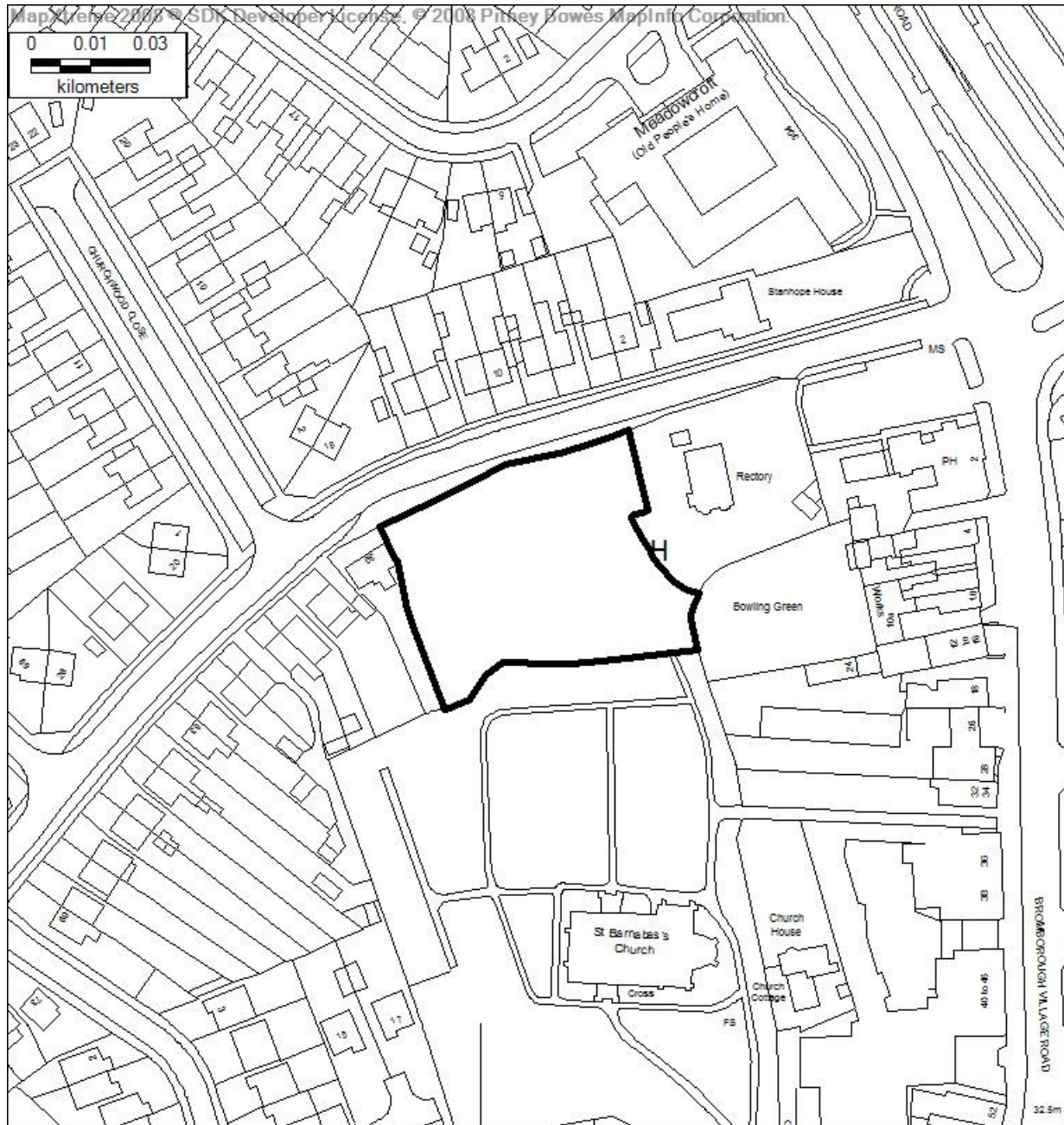
Area Team:
South Team

Case Officer:
Ms J Storey

Ward:
Bromborough

Location: Land adjacent to The Rectory, MARK RAKE, BROMBOROUGH, CH62 2DH
Proposal: Erection of 10 Dwellings including Construction of Access- Additional information received
Applicant: Hawk Homes Limited
Agent : Nigel Thorns Planning Consultancy

Site Plan:



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Development Plan allocation and policies:

Conservation Area (for illustrative purposes)
Primarily Residential Area

Planning History:

There is no planning history relating to this site.

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

Having regard to the Council Guidance on Publicity for applications, 30 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 22 objections have been received and a qualifying petition of objection containing 86 signatures listing the following grounds:

1. Increased issues with regards to access and off road parking
2. Increased flood risk and drainage issues
3. Mark Rake becoming a construction site
4. Negative impacts on the aesthetics of Mark Rake
5. Further impacts on the disrepair of pavements
6. Negative impacts on flora and fauna
7. Removal of part of the sandstone wall for access point impact on the character of the Conservation area
8. Lack of clarity as to the remainder of the sandstone wall
9. Loss of wildlife
10. Increase in the volume of traffic and highway safety issues
11. Loss of privacy
12. Area is mentioned in the Domesday book
13. Do not need houses there
14. Access onto Mark Rake would be dangerous
15. Loss of outlook
16. Loss of trees
17. Increase in on street parking and congestion
18. Why not access via the rectory
19. Loss of value to house
20. Light pollution from cars
21. Entrance would have to slope from higher ground
22. Test pits have been excavated and show that the sandstone wall sits on an earlier medieval wall and the earlier church stood nearer this boundary than the current church meaning this development would destroy the archaeological integrity of the church
23. Some graves in the conservation are marked as unsafe, any disruption from the construction of the development could further destabilise them
24. There is evidence of continued occupational activity in the area from the Roman period onwards and no archaeological survey had been completed by the developer.

The Church of England (Diocese of Chester) - The land forms part of The Rectory garden but is surplus to requirements (of the Diocese). As the body responsible for the care of The Rectory, to which this development would be immediately adjacent, the Diocese confirm they are content for the proposals to go ahead and hope that the Committee are able to support the scheme also.

CONSULTATIONS

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

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

The Bromborough Society - cannot support the application on any grounds as it would not accord with the setting of the Bromborough Village Conservation Area, the effect on local drainage, traffic on Mark Rake and the amenity of residents. The 2008 Management Plan highlights both the churchyard and the rectory garden and wall as having very positive effects enhancing the value of the Conservation Area and recommending that both be included within it. Sufficient sites are available for housing and these

proposals look cramped. Any desk based assessment would lead to suggest a professional excavation programme particularly as it's such a sensitive area and early settlements tended to be just outside the churchyard walls. The proposals would have unfortunate consequences which would be unacceptable.

Lead Local Flood Advice - No objection subject to conditions

United Utilities - No objections

Historic England - The application should be determined in accordance with national and local policy guidance and on the basis of your conservation advice

Wirral Wildlife - Consider that the new layout is better, but because of the poor amenity value of the very shaded gardens, which leads to demands to fell trees, it would be better to have 8 houses not 10. However, if this layout is allowed, then all mature trees should be protected by a TPO before the development starts, and the usual standard conditions applied. No clearance during the bird breeding season and protection to all retained trees during construction.

Director's Comments:

Consideration of this application was deferred at Planning Committee on the 20th January 2016 to allow for a formal Members Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection signed by 87 people has been received together with 22 separate letters of objection. As such, this application is required to be considered and determined by the Planning Committee under the provisions of the Council's Scheme of Delegation for Determining Planning Applications (March 2014). In addition, Councillor Irene Williams asked that this application be removed from delegation and reported to Planning Committee on the grounds that the site is a key historical site in Bromborough and consideration of the impacts of the development on the heritage of the area needs to be considered.

INTRODUCTION

This is a full application for the construction of 5 pairs of two storey, semi-detached dwellings within the garden of the rectory to. The site will be served via a new access from Mark Rake to the north of the site.

PRINCIPLE OF DEVELOPMENT

The application site is designated Primarily Residential Area and is immediately adjacent to the Bromborough Village Conservation Area (although the site itself sits outside of the conservation area). The application will be assessed against both National and Local Plan Policy set out below.

SITE AND SURROUNDINGS

The application site forms part of the garden area to the rear of the rectory. The area contains a number of trees and shrubs. The site is located at a slightly elevated level to those residential properties located to the north of the site. St Barnabas Church and yard is located to the south of the site. The west of the site contains further two storey detached dwellings. The site is bounded to the north by a sandstone wall fronting The Rake.

POLICY CONTEXT

The following National and Local Plan Policy advice is relevant to this proposal:-

Policy HS4 - Criteria for New Housing Development states that proposals on allocated site and within Primarily Residential Areas will be permitted subject to the following criteria:-

- i. the proposal is of a scale which relates well to surrounding properties in particular, with regards to existing form and density of development
- ii. the proposal does not result in a detrimental change in the character of the area
- iii. access and servicing are capable of satisfactory provision
- iv. the provision of appropriate landscaping and boundary treatment
- v. appropriate provision of design features which contribute to a secure environment

National Planning Policy Framework (NPPF) states that the purpose of planning is to achieve sustainable development and that good design is a key aspect which should contribute positively for making places better for people. Sustainable housing should encompass good design, widen the choice of quality homes and make a positive contribution to an area and use opportunities to improve the character of the area

The proposed scheme for 10 houses on a plot that measures approximately 0.30 hectares equates to a density of 34 dwellings per hectare. This is commensurate to the density of the surrounding area. The application site is fairly substantial in size and can accommodate the proposed new dwellings. The new houses would all be set within good sized plots that are similar in size to the surrounding houses.

Development located within, adjacent to, or otherwise affecting the setting or special character of a Conservation Area, will be permitted subject to the provisions of Policy CH2 Development Affecting Conservation Areas where the visual and operational impact of the proposals can be demonstrated to preserve or enhance:

- i. the distinctive characteristics of the Area, including important views into and out of the designated Area;
- ii. the general design and layout of the Area, including the relationship between its buildings, structures, trees and characteristic open spaces; and
- iii. the character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the Area.

When granting consent, special regard will be given to matters of detailed design, especially within main frontages and prominent elevations, and to the nature, quality and type of materials proposed to be used.

Despite being located adjacent to Bromborough Village Conservation Area, the topography of the land, positioning of the site within the garden of the rectory, and the presence of existing buildings ensures that the proposed extension will not be intrusive to views both into and out of the Conservation area.

The proposals are therefore considered to be in line with Policy CH2.

Having regards to Policy CH1 Development Affecting Listed Buildings and structures, proposals for new residential development may be supported where:

- i. the proposal is of a nature and scale appropriate to retaining the character and design of the building or structure and its setting; and
- ii. adequate provision is made for the preservation of the special architectural or historic features of the building or structure. When granting consent, special regard will be had to matters of detailed design

The site is located within close proximity to a number of Listed Buildings, the nearest being the Sundial to the north of St Barnabas Church some 50m away and St Barnabas Church approximately 60m from the site boundary. The development is however removed from this building and other heritage assets. The construction of these dwellings is fully internal to the site, and will not impact on the setting or enjoyment of any listed building to the public. Furthermore, the proposal will have no physical impact on any listed building.

Within UDP Policy CH20 - Bromborough Village Conservation Area, the main objective for the area is the preservation of the historic character of the village core based around the landmarks of St Barnabas Church and Bromborough Cross, the character and setting of the church and to retain unifying features such as stone walls, narrow lanes and shared elements of building design and materials.

The southern part of the site is located adjacent to the Bromborough Village Conservation Area. Regard has been given to how the impact of the development is mitigated by the following factors:

- i. the application site is only viewed from the conservation area from within the Churchyard immediately to the south of the site.
- ii. the site is screened from the churchyard by mature trees and dense low level vegetation screen

- iii. the site is screened from the churchyard by a stone wall
- iv. the buildings are set at a lower level than the graveyard with only the rooftop's visible from the Conservation Area.

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.

APPEARANCE AND AMENITY ISSUES

The majority of the dwellings within the area are traditional two storey dwellings, the proposed dwellings are considered to be comparable in height to those surrounding the site, respecting the scale and context of the adjacent dwellings.

In terms of the design of the area and the dwellings proposed, the wider area includes a mix of traditional and modern houses with a wide pallet of materials and designs. The design of the proposed new houses picks up elements from surrounding properties including steeply pitched roof, traditional window designs, including brick headers and cills, chimneys and open eaves. In terms of layout, scale, design and height, it is considered that the buildings, will sit comfortably within the context of the existing development within the area.

In terms of layout, the proposed scheme has been amended slightly and contains an internal courtyard with the houses fronting onto this area. Plots 1 and 10 have gables onto the road which replicates the relationship of the Rectory and Stanhope House to the east. Plots 1 & 2 back onto the rectory and achieve the required interface distance of 21m between the rear elevations of both existing and proposed properties. Plots 9 & 10 back onto the blank gable of no 39 and will be located over 12m from that elevation.

With regards to the internal layout, the amended scheme has re-located plots 9 and 10 to allow for a 14m distance to the gable of no 39 Bromborough Village Road. In addition, the amended layout also ensures that plot 7 has no habitable room windows looking directly towards the gable of plot 6. Plots 7 and 8 have been moved further away from the trees in the south west corner of the site.

The land within the application site is at a higher level than those properties facing the site along Mark Rake. There are two properties within the site that face directly onto the existing properties along this road, the interface distances between these and the existing properties will be 53m, while two properties will have gabled elevations containing a landing window to be located some 26m away. A Heritage Assessment was submitted with the application in order to provide an assessment of the heritage significance of assets close to and at the proposed development site. The Assessment revealed that the study area contained 145 heritage assets dating from the prehistoric period onwards, 59 of these are protected by statutory designation. The report concludes that the historic environment features identified in the study area typically reflect the residential development of the area since the middle of the 18th century. Activity from earlier periods is also present but scarce. The Bromborough Society have concerns regarding the proposal in relation to the impact of the proposal on geological, historical and amenity value for all the surrounding properties. Many heritage assets are no longer extant reflecting the expansion housing and the industrialization of the Merseyside landscape during the 19th and 20th centuries. However, it is considered to be expedient to attach a condition that requires a watching brief during ground works.

SEPARATION DISTANCES

The land within the application site is at a higher level than those properties facing the site along Mark Rake. There are two properties within the site that face directly onto the existing properties along this road, the interface distances between these and the existing properties will be 53m, while two properties will have gabled elevations containing a landing window to be located some 26m away. It is therefore considered that the proposal meets the Local Authorities required interface distances.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no objections on highway ground subject to the attached conditions.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are a number of mature trees within the site. The trees in the south west corner are predominately Leyland Cypress, Sycamore and Scots pine. A tree report has been submitted as part of this application. The Council's Arboricultural Officer has been involved in the scheme from the pre-application stage and has raised no objections to the proposal subject to conditions which provides for a scheme of landscaping and planting. The Bat Survey submitted as part of this application concludes that the site is not currently used by roosting bats, but may of the trees do offer potential summer/day/opportunistic roosting opportunities. The site appears to be a key foraging site for Soprano and Common Pipistrelle bats which arrive on site from the south approximately 15-20 minutes after sunset. This timing indicates that a roost is located adjacent to the site. The boundaries function as commuting corridors for these bats to navigate away from their roost and to the wider habitat beyond the site.

The scheme will result in the loss of some of the existing mature trees and all of the scrub and shrubs currently on site. The new scheme will replace these semi-natural habitats with hard standing, garden areas and replacement planting around the site boundaries. The report advises that the impacts on bats are the risk of harm during tree felling, the permanent loss in foraging habitat and potentially permanent and significant impacts on the nearby pipistrelle roost through the short-term disturbance impacts caused by construction, site clearance and tree removal.

A number of mitigation measures are proposed to ensure that there should be no significant residual impact on the value of the site to Pipistrelle bats as a result of the proposed scheme which can be secured through suitably worded condition(s). These measures include:

- A method statement for tree-felling under the supervision of a licensed bat worker
- The removal of existing boundary tree lines at the start of the construction programme and immediate planting of replacement semi-mature specimens before any further development activities take place.
- The replacement of existing trees with semi-mature specimens of a minimum 5m height
- The provision of bat boxes on new buildings and existing/retained mature trees
- The installation of swift boxes in the eaves of each new property as a genuine biodiversity enhancement.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal development is considered acceptable having regards to the number of units proposed, the size of the site and surrounding land uses. The proposals are not considered to be detrimental to character of the area nor would they have any detrimental impact or harm on the adjacent Bromborough Village Conservation Area. Furthermore, it is considered that the proposed development will not have an adverse impact on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy as adequate interface distances are achieved both in relation to existing neighbouring properties and within the site itself. Safe access to and from the site can be achieved. The proposed new dwellings will have adequate levels of amenity space and off street parking. The proposal therefore accords with the provisions of the relevant National and Local Plan policies and is recommended for approval subject to a Section 106 Agreement for the provision of affordable housing which will require 2 of the 10 houses proposed to be affordable.

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 development is considered acceptable having regards to the number of units proposed, the size of the site and surrounding land uses. The proposals are not considered to be detrimental to character of the area nor would they have any detrimental impact or harm on the adjacent Bromborough Village Conservation Area. Furthermore, it is considered that the proposed development will not have an adverse impact on the amenities which the occupiers of neighbouring

properties can reasonably expect to enjoy as adequate interface distances are achieved both in relation to existing neighbouring properties and within the site itself. Safe access to and from the site can be achieved. The proposed new dwellings will have adequate levels of amenity space and off street parking. The proposal therefore accords with the provisions of the relevant National and Local Plan policies and is recommended for approval subject to a Section 106 Agreement for the provision of affordable housing which will require 2 of the 10 houses proposed to be affordable.

Recommended Decision: **Approve subject to a Section 106 Legal 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. 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 Policies of the Wirral Unitary Development Plan.

3. 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 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)
- K. 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.
- L. 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.
- M. 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).
- N. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- O. the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To protect the character of the area and to comply with Policy GR7 of the Wirral Unitary Development Plan

4. The following activities must not be carried out under any circumstances:

- a. No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
- b. No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
- c. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- d. No mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
- e. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To protect the character of the area and to accord with Policy GR7 of the Wirral Unitary Development Plan

5. No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To safeguard the appearance of the locality.

6. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality.

7. No development shall commence until full details of a scheme for a sustainable drainage system¹ 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 sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 102 and 103 of the National Planning Policy Framework, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

8. Prior to the development commencing, an archaeological evaluation or watching brief shall be submitted and approved in writing by the Local Planning Authority. This must be undertaken by a professionally qualified archaeologist who is a member of the Institute of Archaeologists at Practitioner grade or above. The approved programme of works shall subsequently be implemented and where appropriate, completed in accordance with the approved details. The programme shall include written schemes of investigation for evaluation and watching briefs.

Reason: In the interests of protecting the site of archaeological importance and to comply with Policy CH25 of Wirral's Unitary Development Plan.

9. Prior to the commencement of development details of the works to the sandstone wall shall be submitted to and agreed in writing with the local planning Authority. The approved scheme shall be implemented in full.

Reason: In the interest of the character of the area and to comply with policies contained within the Wirral Unitary Development Plan.

10. Details of the new vehicular access onto Mark Rake shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of the development. The approved plan shall be implemented in full prior to first occupation and retained as such thereafter.

Reason: In the interest of highway safety.

11. Prior to the commencement of development details of the required flush kerbs to be provided at accesses on Mark Rake between the site and Bromborough Village Road shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be completed to the satisfaction of the Local Planning Authority prior to the first occupation of the dwellings.

Reason: To ensure a satisfactory form of development

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.

Reason: In the interests of highway safety and to accord with Policy HS4 of the Wirral Unitary Development Plan.

13. 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.

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

14. No development shall take place on the application site until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in

accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard any archaeological interest of the site and to accord with Policies of the Wirral Unitary Development Plan.

15. No development shall take place until a site waste management plan, confirming how construction waste will be recovered and re-used on the site or at any other site has been submitted to and approved 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.

16. Prior to the commencement of development arrangements for the storage and disposal of refuse, and vehicular access thereto, shall be made for inclusion 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 the development hereby approved is brought into use 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

17. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on the October 2014 and listed as follows: W12/2238/03 & W12/2238/01 AND W12/2238/03 received by the Local Planning Authority on 11th November 2015

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

18. Prior to any works commencing on site, details of the installation of bat boxes and bat bricks, including their locations, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the biodiversity of the area and having regard to Policy NC7 of the Wirral Unitary Development Plan.

Further Notes for Committee:

1. Details of a scheme for a sustainable drainage system should include:
 - a) Information about the lifetime of the development and design of the sustainable drainage system design, including storm periods and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), methods employed to delay and control surface water discharged from the site, and appropriate measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses;
 - b) Demonstrate that the surface water run-off would not exceed the pre-development greenfield runoff rate for the existing greenfield site;
 - c) Include details of a site investigation and test results to confirm infiltrations rates;
 - d) Include details of how any flood water, including depths, will be safely managed in exceedance routes;

- e) Secure arrangements for adoption by an appropriate public body or statutory undertaker or, management and maintenance by a Residents' Management Company through an appropriate legal agreement;
- f) Secure arrangements, through an appropriate legal agreement for funding on-going maintenance of all elements of the sustainable drainage system including:
 - i mechanical components;
 - i. on-going inspections relating to performance and asset condition assessments and;
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- g) Secure means of access for maintenance and easements, where applicable.
- h) Include a timetable for implementing the scheme

Last Comments By: 18/11/2015 11:08:07
Expiry Date: 05/01/2015

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WIRRAL COUNCIL

PLANNING COMMITTEE

18 AUGUST 2016

SUBJECT:	Removal of requirement for a Section 106 Legal Agreement for the provision of affordable housing on OUT/15/00977 – Erection of 10 dwellings on land off Leasowe Road, Wallasey Village
WARD/S AFFECTED:	WALLASEY
REPORT OF:	Head of Regeneration and Planning Regeneration and Environment Department
RESPONSIBLE PORTFOLIO HOLDER:	Councillor Phil Davies
KEY DECISION?	No

1.0 EXECUTIVE SUMMARY

- 1.1 Planning application OUT/15/00977 was reported to Planning Committee on 26 November 2015 where it was resolved to approve the development of 10 dwellings on this site subject to conditions and a Section 106 Legal Agreement. The application was subject to a formal site visit by Members prior to the decision being taken.
- 1.2 Since the decision of the Planning Committee, the Court of Appeal has ruled that contributions for affordable housing should not be sought from small scale and self-build developments.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The development sought outline planning permission for the erection of 10 dwellings on this site. The decision to approve the application included a requirement that the developer enters into a S106 Agreement to ensure that on-site affordable housing provision was secured.
- 2.2 In 2014, the Government had introduced into planning policy an exemption for small sites (10 units or fewer) from affordable housing contributions. However, on 31 July 2015 this decision was successfully challenged in the High Court by West Berkshire District Council and Reading Council which effectively re-instated the threshold for affordable housing contributions on developments of 5 dwellings or more.

- 2.3 This decision meant that OUT/15/00977 was considered having regards to the 31 July 2015 High Court decision and a Section 106 Legal Agreement seeking on-site provision of affordable housing was approved by the Planning Committee on 26 November 2015.
- 2.4 The applicant for this application has not yet entered into the Section 106 Agreement and therefore, the permission has not yet been formally granted. Following the Court of Appeal judgement of 11 May 2016, which ruled the 2014 ministerial statement exempting small sites from affordable housing contributions was not unlawful, in the case of this application which seeks permission for a development of 10 units, the Council is unable to require affordable housing provision on this site.
- 2.5 On the basis of the above, the Council is unable to require the developer to enter into a Section 106 Agreement to secure affordable housing on this development and this should now be removed from the Committee resolution of 26 November 2015.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4.0 LEGAL IMPLICATIONS

- 4.1 As the Section 106 Legal Agreement cannot now be required, there are no legal implications arising from this report.

5.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 5.1 As Planning Committee as already considered the planning merits of this development and determined that they were acceptable, there are no additional resource implications arising from this report in terms of further determining this application.

6.0 RELEVANT RISKS

- 6.1 There are no direct implications arising from this report

7.0 ENGAGEMENT/CONSULTATION

- 7.1 OUT/15/00977 was subject to statutory publicity when the application was first submitted to the Council. Representations made to the Council were summarised for Planning Committee in the case officers report of 26 November 2015 and all planning material considerations were taken into account when considering this development.

8.0 EQUALITY IMPLICATIONS

- 8.1 There are no direct equality implications arising from this report.

9.0 RECOMMENDATION/S

- 9.1 That the requirement for a Section 106 Legal Agreement to secure on-site affordable housing provision be removed from the Planning Committee's resolution of 26 November 2015 and that authority be delegated to the Head of Planning and Regeneration to now APPROVE the application subject to conditions as outlined in the attached report considered by Members on 26 November 2015.

10.0 REASON/S FOR RECOMMENDATION/S

- 10.1 To reflect the recent Court of Appeal judgement and to enable a decision to be issued on the planning application without further delay.

REPORT AUTHOR: Joanne Storey
Principal Planning Officer
telephone (0151 691 8674)
email joannestorey@wirral.gov.uk

APPENDICES

Planning Committee Report OUT/15/00977 from 26 November 2015

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Planning Committee	26 November 2015

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Planning Committee

26 November 2015

Reference:
OUT/15/00977

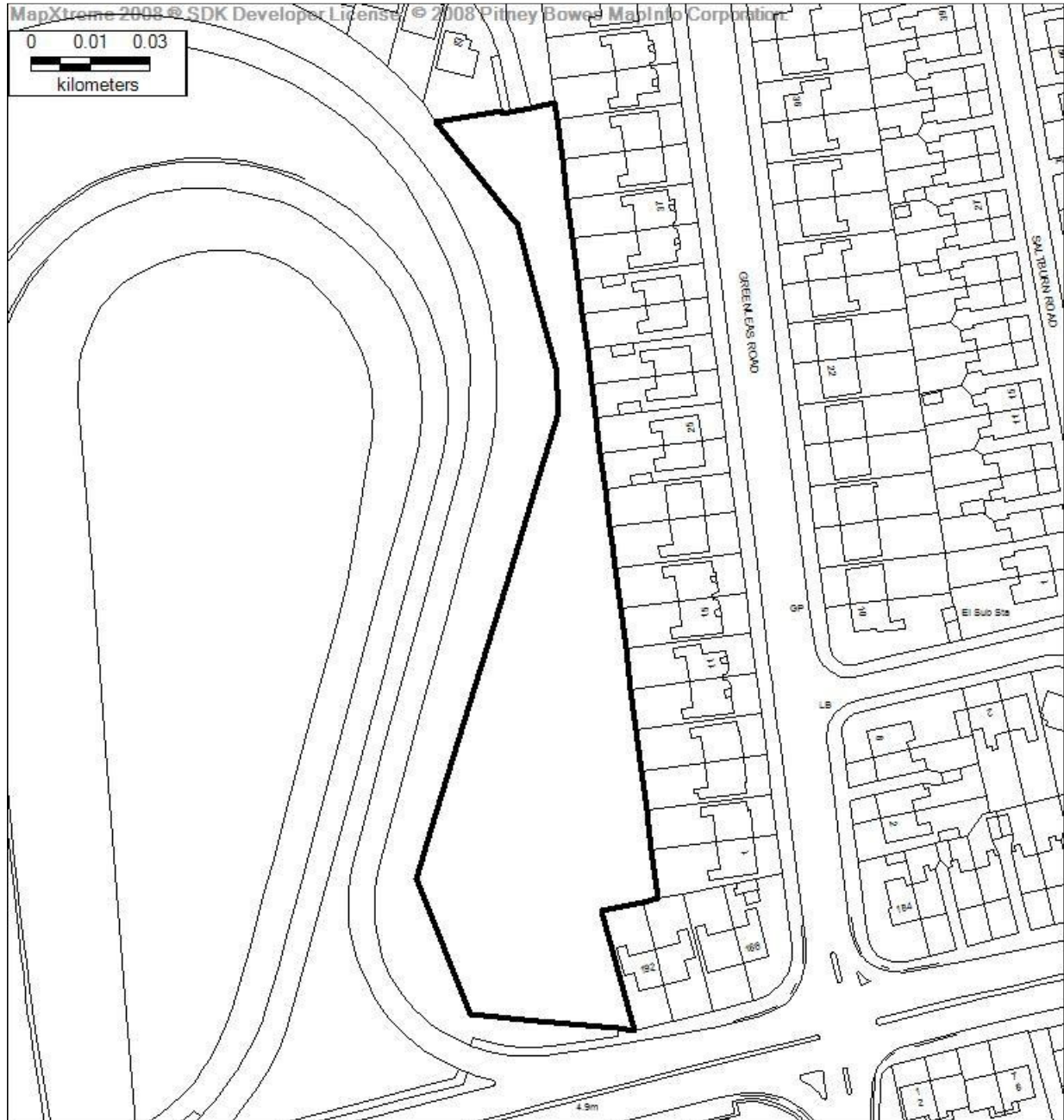
Area Team:
North Team

Case Officer:
Ms J Storey

Ward:
Wallasey

Location: Grazing Land, LEASOWE ROAD, WALLASEY VILLAGE
Proposal: Outline application for 10 dwellings
Applicant: Mr D J Earlam
Agent : Matthews and Goodman LLP

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:

Location: Grazing Land, LEASOWE ROAD, WALLASEY VILLAGE
Application Type: Outline Planning Permission
Proposal: Resubmission of outline application for 16 dwellings Planning Application
Reference: OUT/13/00810
Application No: OUT/14/00105
Decision Date: 16/05/2014
Decision Type: Refuse

Location: Webster Market Garden, Green Lane, Wallasey Village, Wirral, L45 8LZ
Application Type: Outline Planning Permission
Proposal: Erection of 31 dwellings and access road (outline).
Application No: OUT/98/05354
Decision Date: 24/04/1999
Decision Type: Approve

Location: West of 1-43 Greenleas Road and west of 192 Leasowe Road, Wallasey Village, CH45 8
Application Type: Outline Planning Permission
Proposal: Erection of 8 no. detached houses with access road to Greenleas Close
Application No: OUT/02/06143
Decision Date: 11/07/2002
Decision Type: Withdrawn

Location: Webster Market Garden, Green Lane, Wallasey Village, Wirral, CH45 8LZ
Application Type: Full Planning Permission
Proposal: Erection of 35 dwelling houses and garages and construction of foul and surface water sewer link to Leasowe Road
Application No: APP/99/06431
Decision Date: 19/10/1999
Decision Type: Approve

Location: Grazing Land, LEASOWE ROAD, WALLASEY VILLAGE
Application Type: Outline Planning Permission
Proposal: Outline planning application for the erection of 16no. residential units.
Application No: OUT/13/00810
Decision Date: 07/11/2013
Decision Type: Refuse

Appeal Details

Application No	OUT/14/00105
Appeal Decision	Dismissed
Appeal Decision Date	29/01/2015

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Councils Guidance for Publicity on Applications 32 notifications were sent to adjoining properties and a Site Notice was displayed near the site. At the time of writing, a qualifying petition containing 69 signatures and 46 individual letters of objection have been received against the proposal. The objections can be summarised as follows:-

1. Overdevelopment of the site
2. Access not wide enough for emergency vehicles and refuse lorries
3. No consideration is made for pedestrian traffic from the new development into Greenleas Close, residents gardens go right to the roadside
4. No pedestrian route up to the school which will lead to an increase in accidents
5. The traffic survey submitted is wrong and not subjective

6. Development shows utter disregard for current residents
7. No justification for the quantum of development or that it meets UDP Policy HS4
8. No supporting studies have been provided
9. Not in support of the Settlement Area Policy document
10. Reduced delineation between Leasowe/Wallasey
11. Why wasn't this site developed when the other houses were first built
12. Site is partly in the Green Belt
13. Loss of Green Space
14. Surface Water Flood Risk
15. Effect of the development on the character of the neighbourhood
16. Walkway through to Leasowe Road
17. Overlooking
18. Loss of trees and the building of houses will increase noise and light for the current residents
19. Loss of land at the bottom of Greenlease Close as a children's play area
20. Fall in Value of current values
21. Increase in traffic and congestion and on street parking
22. Highway Safety issues
23. Proposed Residents would suffer from noise from slip road
24. Footprint of the proposed houses are smaller than surrounding properties
25. Unadopted footpath that runs along rear of the back gardens
26. Access to the shared roadway into the proposed development is close to my property create noise pollution
27. Neighbour is disabled and proposal would overlook area where he is cared for
28. Make access to the rear of the houses on Greenlease Road a target for Burglars
29. There is a covenant on the land which restricts its use to Agriculture
30. The benefits of leaving a small piece of land far outweighs the greed of the developers
31. Parking survey performed during spring/summer. suspect lower level of traffic

A further petition containing 118 signatures has been received from the school. The objections can be summarised as follows:

1. the scheme is over development of the site
2. would result in an increase in nuisance and disturbance

CONSULTATIONS:

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

Head of Environment and Regulation (Pollution Control Division) - No objections

Head of Environment and Regulation (Drainage Engineers) as Lead Local Flood Authority – no objections subject to conditions (see Conditions 9 & 10 below).

United Utilities - Will not permit building across an existing public sewer. Require an access strip of three metres either side

Wirral Society - object for the following reasons:

1. The proposal does not relate to these adjacent dwellings and would cause a detrimental change in terms of residential amenity.
2. The proposal is such that distances to existing properties would create loss of privacy and outlook.
3. Building on the proposed site would outweigh any possible benefits as the original purpose of this land was to act as a buffer zone from descending traffic from the A554
4. To erect only even 10 dwellings in this position would put that particular development even nearer to the traffic than the dwellings in Greenleas Rd
5. To emphasise that the proposal will have 20mph traffic flow and speed bumps is not relevant. What is relevant is the traffic, always increasing on the slip road itself affecting the proposal.
6. This site and its relationship to the A554 is more suitable as an open space with the character it gives to the area.
7. The site has a superior environmental use in what it contributes to the approach to Leasowe Rd.

8. Whilst the scheme has been reduced by 6 dwellings to reflect the Inspectors comments, the proposal will have an adverse effect on some properties in Greenleas Rd.

Director's Comments:

Consideration of this application was deferred at Planning Committee on 21 October 2015 to allow for a formal Member's Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection has been received signed by 69 signatures. As such the application is required to be considered and determined by the Planning Committee having regards to the provisions of the Scheme of Delegation for Determining Application as approved by Council in March 2014.

INTRODUCTION

This is an outline application with all matters reserved for the erection of 10 no residential units on grazing land between Leasowe Road and Greenleas Close. The site measures approximately 6,000m². Drawings have been submitted indicating a proposed layout and indicative elevations. The proposed scheme proposes 3, detached two storey dwellings, 6, semi-detached two storey dwellings and a bungalow.

There have been two previous applications on the site. The first (OUT/02/06143) for 8 dwellings was withdrawn and the second (OUT/13/00810) for 16 dwellings was refused and subsequently dismissed on appeal.

The two reasons for refusing the later application related to over development of the site by reason of the quantum and scale of the proposed development and highway safety and additional traffic generation fronting Greenlease school.

The inspector in dismissing the appeal stated that "the elongated nature of the site and its awkward configuration of the site necessitates confining most of the proposed dwellings to the southern portion of the plot. The density would be greater and that, together with the relative narrow plots and smaller dwellings would create a cramped impression out of keeping with the detached dwellings in Greenleas Close or the established semi-detached suburban villas along Leasowe Road.....I consider the illustrative layout to be mediocre with little form or focus.

The Inspector further notes that Greenleas Close ends in a shared surface approximately 30m in length that curves between some six properties. While the use of this section by the traffic generated from the proposed development, might at first sight, appear to meet the guidance in Manual for Streets, it seems to me that there would be elements in the configuration of the cul-de-sac that would undermine the proper application of that concept. Drivers from almost all of the proposed dwellings would approach the shared surface via a virtually straight stretch of carriageway, about 130m in length, and accommodating only 3 fairly modest chicane's. Given the likely tidal nature and low level of traffic, I do not accept that such a configuration would be commensurate with a design speed suitable to appropriately negotiate the shared surface. For these reasons, I consider that the limited level of traffic likely to materialise would not greatly exacerbate road hazards.

PRINCIPLE OF DEVELOPMENT

The site is designated as a Primarily Residential Area in the Wirral Unitary Development Plan, and the principle of residential dwellings are acceptable subject to UDP Policy HS4 'New Housing Development and the National Planning Policy Framework.

SITE AND SURROUNDINGS

The site comprises a grassed and hard surfaced piece of land with stables, grazing and riding areas. It is designated as a Primarily Residential Area in the Wirral Unitary Development Plan. There are mature trees to the west boundary outside the site, screening the proposal from the slip road off the A554. Greenleas Road to the east of the site is characterised by traditional semi-detached properties with 15m rear gardens, and is positioned lower than the site. Greenleas Close to the north is characterised by an open plan estate of detached brick dwellings. There is a Primary School at the head of Greenleas Close.

POLICY CONTEXT

The Development Plan

The site is designated as part of the Primarily Residential Area in the Wirral Unitary Development Plan (UDP saved by direction of the Secretary of State on 27 September 2007).

Policy HS4 (Criteria for New Housing Development) of the UDP sets out the parameters for acceptable residential development stating that the proposal should be of a scale which relates well to the surrounding properties with particular regards to existing form and density.

Policy HSG2 (Affordable Housing) of the UDP states that the Local Planning Authority will negotiate with developers and housing associations the provision of affordable housing where appropriate.

Policy GR5 (Landscaping and New Development) of the UDP requires applicants to submit full landscape proposals before planning permission is granted.

Policy GR7 (Trees and New Development) of the UDP sets out the criteria to assess the need to protect trees by having regard to health and structure of existing trees with a view to provide replacement trees.

Policy WA2 (Development and Land Drainage) of the UDP states that conditions may be imposed requiring surface water storage where there could be a significant increase in surface water run-off from the area.

Policy WA5 (Protecting Surface Waters) of the UDP only permits development which does not exacerbate existing problems such as increased frequency of discharges through storm sewer overflows due to inadequate infrastructure or lack of sewer capacity.

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, and Policy WM9 also requires development to provide measures for waste collection and recycling.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that good design is a key aspect which should contribute positively for making places better for people.

Sustainable housing development should encompass good design and widen the choice of high quality homes. Paragraph 64 states that development of poor design that fails to take opportunities for improving the character and quality of an area and the way it functions should be refused

APPEARANCE AND AMENITY ISSUES

The application is for outline consent with all matters reserved, however, the applicants have provided an indicative layout and possible elevational treatments. The site is to be accessed via Greenlease close to the north and will utilise a single road running through the site. To this end, the scheme will integrate well into its surroundings by reinforcing existing connections and creating a new one. The submitted drawings also identify a possible pedestrian/cycle access onto Leasowe Road which will ensure that the site is permeable from west to east. It has been suggested that a barrier could be provided that prohibited cars from gaining access.

The indicative scheme proposed a mix of semi-detached and detached dwellings and a bungalow that should create a broad based community and is commensurate with the surrounding development. Off street parking will be provided for each property. The proposal also includes for a small public landscaped area to the east of the site that could incorporate a suds scheme in addition to creating and enhancing a wildlife habitat.

The applicant has provided a street scene which indicates the design scale and height of the proposed dwellings. It is considered that the elevations as proposed exhibit a certain architectural quality and detailing. The scale and height of the proposed houses are similar to the surrounding area.

In addressing the Inspectors previous concerns with earlier schemes, the proposed layout is not confined to the southern portion of the plot. The density is now lower and the plots wider and the footprint of the dwellings similar to surrounding properties.

The site is located close to community facilities such as shops, schools and a mix of public transport providers.

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. 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.

The applicants have advised that the exact location of bellow ground services will be determined prior to the submission of a reserved matters application. There is a 10m easement through the site, which may require modification to the submitted layout. This is a matter reserved for future approval.

The illustrative layout provided for 25m interface distance between the rear elevations of existing properties along Leasowe Road and the proposed two storey dwellings. There is a shorter distance of 20m between the proposed dwelling on plot 2; however, it is proposed that this is to be a bungalow where the potential for overlooking can be mitigated by boundary treatment. The proposed scheme can therefore be accepted having regards to interface distances.

HIGHWAY/TRAFFIC IMPLICATIONS

A volume of objections have been received from local residents and parents with concerns to the additional traffic, parking and congestion the proposed 16 new dwellings would bring. This is exacerbated by the position of Greenleas Primary School at the junction into Greenleas Close.

There has been some concerns from residents that there is a public right of way through the site. However, this is not the case. The proposed scheme will in fact provide access for pedestrians and cyclist through the site.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Objections were received regarding flood risk, loss of trees and wildlife habitat. The site is located within the lowest risk zone, Flood Zone 1. However the concerns of the neighbours regarding flooding from rainfall on the ground surface and rising groundwater overwhelming sewers and drainage systems are relevant. The proposal is to remove a large amount of permeable surface and replace the majority with hard surfacing. As such it will be essential in the application for reserved matters the applicant sets out a proposal for sustainable urban drainage system. There is a copse of trees adjacent to the site but not within the boundary. The applicant proposes a small landscaped/wooded area. In addition, it is considered that this reduction in the number of dwellings will allow for a better landscaping scheme. A landscaping scheme is considered necessary given the previous open use of the site.

Section 106 for Affordable Housing

Proposals for new market housing of 5 dwellings or above will normally be required to provide affordable housing on-site at the following rates:

- within areas of greatest need - 10%
- outside areas of greatest need - 20%

A reduced level of provision will be approved where an independently verified site-specific assessment has been submitted to demonstrate that the site would not be viable for housing development at the rate specified.

In this instance the applicant has agreed to the required level of affordable housing which will be delivered through a Section 106 agreement.

CONCLUSION

The proposed development is considered to be acceptable and it will not have an unacceptable adverse

impact on the amenities of neighbouring properties through overlooking, poor outlook or through the amount of traffic generated or highway safety issues. The application site is in a sustainable location close to shops and good public transport links. The proposal is therefore considered to comply with the Wirral Unitary Development Plan Policy HS4, 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 is considered to be acceptable and it will not have an unacceptable adverse impact on the amenities of neighbouring properties through overlooking, poor outlook or through the amount of traffic generated or highway safety issues. The application site is in a sustainable location close to shops and good public transport links. The proposal is therefore considered to comply with the Wirral Unitary Development Plan Policy HS4, and the National Planning Policy Framework.

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

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (a) Layout
- (b) Scale
- (c) Appearance
- (d) Access and
- (e) Landscaping

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

3. NO DEVELOPMENT SHALL TAKE PLACE until full details and samples of materials for all external work has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

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

policies WM8 and WM9 of the Waste Local Plan.

5. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.

Reason: To ensure a satisfactory relationship between the various components of the development and between the site and adjoining land, to ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, any trees and hedgerows and the amenities of neighbouring properties, having regard to Policy HS4 and GR7 of the adopted Wirral Unitary Development Plan.

6. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 20th July 2015 and listed as follows: L(80)001

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

7. NO DEVELOPMENT SHALL TAKE PLACE (including any demolition, earthworks or vegetation clearance) until a scheme of landscaping, phased in relation to any phasing of the development, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for but not restricted to the following details:

- a. existing trees and shrubs not directly affected by the buildings and works.
- b. walls and fences
- c. proposed walls and fencing, indicating materials and heights.
- d. screen planting on boundary
- e. existing contours and any alteration, such as earth mounding,
- f. details of the proposed arrangements for maintenance of the landscaping

The scheme as approved shall be carried out prior to the first occupation of any of the dwellings hereby approved. Any trees, shrubs or plants that die within a period of 5 years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written approval for any variation.

Reason: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, having regard to Policy HS4 and Policy GR5 of the Wirral Unitary Development Plan.

8. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, 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 previously submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

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

9. NO DEVELOPMENT SHALL TAKE PLACE until a scheme for the provision and implementation for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. As a minimum, such a scheme shall include:

- a. Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 years +30% allowance for climate change);

- b. Discharge rates and volumes (both pre and post development);
- c. Temporary storage facilities;
- d. Means of access for maintenance and easements where applicable;
- e. Methods employed to delay and control surface water discharged from the site;
- f. Measures taken to prevent flooding and pollution of the receiving ground water and/or surface waters, including watercourses
- g. Flood water exceedance routes, both on and off site;
- h. A timetable for implementation, including phasing where applicable;
- i. Site investigation and test results to confirm infiltration rates.

The drainage scheme should demonstrate that the peak run off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 years rainfall event should never exceed the peak greenfield run off rate for the same event.

The development shall not be brought into use or the dwellings first occupied until the scheme as approved has been fully implemented in accordance with the timing/phasing arrangements embodied within the scheme and shall be subsequently maintained as such thereafter.

Reason: To prevent increase risk of flooding by ensuring that the development can be adequately drained and to comply with Policies WA2 and WA5 of the Wirral Unitary Development and Paragraph 103 of the National Planning Policy Framework.

10. NO DEVELOPMENT SHALL TAKE PLACE until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. As a minimum, such a scheme shall include:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company;
- b. Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. On-going inspections relating to performance and asset condition assessments; and
 - ii. Operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- c. Means of access for maintenance and easements where applicable

The development shall not be brought into use or the dwellings first occupied until the scheme as approved has been fully implemented and shall be subsequently managed and maintained as such thereafter.

Reason: To prevent increase risk of flooding by ensuring that the development can be adequately drained and to comply with Policies WA1, WA2, WA3 and WA5 of the Wirral Unitary Development and Paragraph 103 of the National Planning Policy Framework.

11. NO DEVELOPMENT SHALL TAKE PLACE until full details of the access road has been submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be restricted to any footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls,, surface water outfall, embankments, visibility splays, carriageway gradients, drive gradients, street furniture and traffic calming measures, and shall include the timetable for the provision of such works. The development shall not be first occupied until the details as agreed have all been constructed and laid out in accordance with the approved details.

Reason: To ensure the access road is laid out and constructed in a safe and satisfactory

manner, having regard to Policy HS4 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 10/09/2015 15:32:09
Expiry Date: 19/10/2015

Planning Applications Decided Under Delegated Powers Between 09/07/2016 and 05/08/2016

Application No.: APP/15/01347 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 28/07/2016 **Decision:** Refuse
Case Officer: Mrs MA Jackson
Applicant: Mr Liam Gryba **Agent:**
Location: 84A SEABANK ROAD, EGREMONT, CH45 7PG
Proposal: Retention of 2 metre fence facing Hertford Drive.

Application No.: DPP3/15/01383 **Application Type:** Work for Council by Council
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 03/08/2016 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Wirral Council **Agent:** Wirral Council
Location: West Kirby Marine Lake, SOUTH PARADE, WEST KIRBY CH48 0QG
Proposal: Existing Sailing Centre building to be refurbished and new extension including cafe and external seating area at first-floor level

Application No.: APP/16/00259 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 20/07/2016 **Decision:** Approve
Case Officer: Mrs S Day
Applicant: Mr N Tweedle **Agent:** SWH Design Services Ltd
Location: 93 EASTHAM VILLAGE ROAD, EASTHAM, CH62 0AW
Proposal: Retention of car ports to sides of existing garage- Amended description

Application No.: APP/16/00379 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 13/07/2016 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr G Castermans **Agent:**
Location: WILLOW FARM, PARK LANE, MORETON, WIRRAL, CH47 8XT
Proposal: Change of use from agricultural to dog training - up to 10 dogs

Application No.: APP/16/00385 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 18/07/2016 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mrs Abson **Agent:** Wirral Planning & Advice Appeals
Location: LAND ADJACENT TO 41 THURSTASTON ROAD, IRBY, CH61 0HF
Proposal: Provision of pavement crossing (vehicular) and gate and fence

Application No.:	APP/16/00392	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Dr Andrew Douglas	Agent:	LHGProjects
Location:	Tamara, 54 CROFT DRIVE EAST, CALDY, CH48 2JP		
Proposal:	Two storey extension to west facing elevation, single storey extension to rear of existing garage		
Application No.:	APP/16/00398	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Approve
Case Officer:	Mr S Williamson		
Applicant:	Mr D Hart	Agent:	STC Associates Ltd
Location:	5 HILLINGDON AVENUE, PENSBY, CH61 6XA		
Proposal:	Change in land levels to side and rear garden		
Application No.:	APP/16/00441	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mrs Fiona Evans	Agent:	DevaPlan Ltd
Location:	4 Seabank Cottages, BENNETS LANE, MEOLS		
Proposal:	Extension of dwelling house by erection of two storey side and rear extension.		
Application No.:	APP/16/00446	Application Type:	Full Planning Permission
Ward:	Bidston and St James	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Refuse
Case Officer:	Mr S Williamson		
Applicant:	Mrs Karen Malyon	Agent:	
Location:	10 STATHAM ROAD, BIDSTON, CH43 7XS		
Proposal:	Tree house in back garden (retrospective)		
Application No.:	APP/16/00447	Application Type:	Full Planning Permission
Ward:	Moreton West and Saughall Massie	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr Alan Gordon	Agent:	
Location:	10 WILLOW GROVE, MORETON, CH46 0TU		
Proposal:	Retrospective permission for a conservatory		

Application No.:	APP/16/00473	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:	Mr & Mrs Booth	Agent:	KJP Architecture
Location:	Land Adjacent to Barnston Primary School, Sandham Grove, BARNSTON, WIRRAL, CH60 1XW		
Proposal:	Erection of a new detached dwelling & garage		
Application No.:	APP/16/00477	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Refuse
Case Officer:	Mr P Howson		
Applicant:	Maria Filippidi	Agent:	Graham Patrick
Location:	12 SCHOOL HILL, HESWALL, CH60 0DL		
Proposal:	Demolition of existing sunroom and erection of two storey extension to rear		
Application No.:	RESX/16/00521	Application Type:	Prior Approval Householder PD
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Prior approval is not required
Case Officer:	Mr S Williamson		
Applicant:	Mr Andrew Clampitt	Agent:	C W Jones
Location:	9 BEECHWAY, BEBINGTON, CH63 3AY		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.2m for which the maximum height would be 3.7m and for which the height of the eaves would be 2.6m		
Application No.:	APP/16/00574	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr & Mrs Ireland	Agent:	Chester building services
Location:	6 BLAKELEY DENE, RABY MERE, CH63 0QE		
Proposal:	Remove conservatory (which already had planning permission ref:0706450) Replace same size single storey Flat roof extension		
Application No.:	APP/16/00575	Application Type:	Full Planning Permission
Ward:	Moreton West and Saughall Massie	Decision Level:	Delegated
Decision Date:	27/07/2016	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Mr & Mrs McSHANE	Agent:	Bryson Architecture
Location:	424 HOYLAKE ROAD, MORETON, CH46 6DG		
Proposal:	Erection of single storey side and rear extension.		

Application No.:	APP/16/00581	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Approve
Case Officer:	Mr S Williamson		
Applicant:	Mrs B Owen-Thomas	Agent:	
Location:	14 BIRCHWAY, GAYTON, CH60 3SX		
Proposal:	Replace existing boundary fence and brick wall		
Application No.:	APP/16/00585	Application Type:	Full Planning Permission
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr Dave Knight	Agent:	Mr Dave Knight
Location:	8 HARLEY AVENUE, HIGHER BEBINGTON, CH63 5PZ		
Proposal:	The demolition of an existing rear extension and garage and erection of an extension to the rear and side		
Application No.:	APP/16/00598	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Ms Daly	Agent:	
Location:	Lea Wood, FLECK LANE, NEWTON, CH48 1LA		
Proposal:	Vertical extension to create a first floor level within the existing house footprint with a side and rear extension and rebuilding and relocating the existing garage (Amendment to planning permission APP/15/01263)		
Application No.:	APP/16/00605	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mrs E Bradshaw	Agent:	Archer Architects Ltd
Location:	14 ELM TERRACE, HOYLAKE, CH47 3DH		
Proposal:	Proposed Side Extension		
Application No.:	APP/16/00609	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Approve
Case Officer:	Mrs S Day		
Applicant:	The Caldy Golf Club Ltd	Agent:	Mr Chris Davies
Location:	Caldy Golf Course, Caldy Golf Club, LINKS HEY ROAD, CALDY, CH48 1NB		
Proposal:	Variation of condition		

Application No.:	APP/16/00620	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	18/07/2016	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Mrs S Murray	Agent:	SDA Architecture Limited
Location:	Deeford, 11 STATION ROAD, HESWALL, CH60 8PN		
Proposal:	Proposed decking to rear of property		
Application No.:	APP/16/00625	Application Type:	Full Planning Permission
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	29/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Ms J Cashin	Agent:	
Location:	31 BROADWAY, HIGHER BEBINGTON, CH63 5NQ		
Proposal:	Single storey extension to the side and rear (part) of the existing property		
Application No.:	APP/16/00628	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mrs C Caslin	Agent:	Lightblue Solutions Ltd
Location:	9 REDMERE DRIVE, BARNSTON, CH60 1YF		
Proposal:	Single storey side and rear extensions and alterations to existing integral garage		
Application No.:	APP/16/00630	Application Type:	Full Planning Permission
Ward:	Oxton	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mrs J Malpas		
Applicant:	Louise Smeaton and Michael Stockdale	Agent:	David Ainsley
Location:	8 VICTORIA MOUNT, OXTON, CH43 5TH		
Proposal:	The demolition of a free standing garage and its replacement with a single storey extension		
Application No.:	APP/16/00636	Application Type:	Full Planning Permission
Ward:	Claughton	Decision Level:	Delegated
Decision Date:	27/07/2016	Decision:	Refuse
Case Officer:	Mr P Howson		
Applicant:	Mr M Formston	Agent:	SDA Architecture Limited
Location:	135 PARK ROAD NORTH, BIRKENHEAD, CH41 8AA		
Proposal:	Demolition of existing garage and removal of one tree to facilitate a new proposed garage		

Application No.:	APP/16/00637	Application Type:	Full Planning Permission
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Anne Forshaw	Agent:	RADM Architects
Location:	19 PRINCES BOULEVARD, HIGHER BEBINGTON, CH63 5LH		
Proposal:	Single storey rear extension		
Application No.:	APP/16/00639	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Tranmere Rovers F.C.	Agent:	Paddock Johnson Partnership
Location:	Prenton Park Stadium, Tranmere Rovers Football Club, PRENTON ROAD WEST, PRENTON, CH42 9PY		
Proposal:	Erection of marquee to west of stadium		
Application No.:	APP/16/00646	Application Type:	Full Planning Permission
Ward:	New Brighton	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	CNP LAND AND PROPERTIES	Agent:	Bryson Architecture
Location:	2 MAGAZINE BROW, NEW BRIGHTON, WIRRAL		
Proposal:	Conversion from 5 self contained apartments to 2 dwelling houses		
Application No.:	APP/16/00650	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Refuse
Case Officer:	Mrs MA Jackson		
Applicant:	Mr N Philips	Agent:	BDS
Location:	Fernbank, 257 SPITAL ROAD, BROMBOROUGH, CH62 2AQ		
Proposal:	Single storey rear extension to rear of house		
Application No.:	APP/16/00666	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Refuse
Case Officer:	Mr K Spilsbury		
Applicant:	Mr Peter Lee	Agent:	Hughes Architectural
Location:	27 LATCHFORD ROAD, GAYTON, CH60 3RN		
Proposal:	Erection of a detached dormer bungalow with a detached garage		

Application No.:	APP/16/00671	Application Type:	Full Planning Permission
Ward:	Claughton	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mrs J James	Agent:	Andrew Smith Architects Ltd
Location:	32 HILL ROAD, CLAUGHTON, WIRRAL, CH43 8TL		
Proposal:	Demolition and rebuilding of single storey kitchen, re roofing in period slate, visual external enhancements and general fabric overhall		
Application No.:	APP/16/00673	Application Type:	Full Planning Permission
Ward:	Liscard	Decision Level:	Delegated
Decision Date:	27/07/2016	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	ST GEORGES CARE HOME	Agent:	PAB Architects Ltd
Location:	St Georges Nursing Home, 1 CROXTETH AVENUE, LISCARD, CH44 5UL		
Proposal:	2 STOREY EXTENSION TO PROVIDE 9 NO BEDROOMS WITH ASSOCIATED AMENITY FACILITIES AND ROOF TERRACE. RESUBMISSION OF EXPIRED PLANNING APPLICATION NUMBER APP/12/01409		
Application No.:	APP/16/00677	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:	Mr B Vincent	Agent:	Garry Usherwood Associates Limited
Location:	Holly Tree House, COLUMN ROAD, NEWTON, CH48 1LG		
Proposal:	Erection of new cottage and detached garage		
Application No.:	APP/16/00695	Application Type:	Full Planning Permission
Ward:	Claughton	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mr S Ampudi	Agent:	Neville Pickard
Location:	Beverly, 39 VYNER ROAD SOUTH, BIDSTON, CH43 7PN		
Proposal:	First floor extension to dwelling, single storey front garage and porch extension, and altering dining room roof		
Application No.:	APP/16/00700	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	04/08/2016	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:	skanem liverpool	Agent:	Skanem Liverpool
Location:	Skanem UK Ltd, 9 BASSENDALE ROAD, BROMBOROUGH, CH62 3QL		
Proposal:	Installation of 6 ventilation louvers and 4 cowl outlets (amended description)		

Application No.:	APP/16/00701	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr C Rodaway	Agent:	Cunliffes Ltd
Location:	Calday Grange Grammar School, GRAMMAR SCHOOL LANE, NEWTON, CH48 8GG		
Proposal:	To extend the existing car park which necessitates a change of use from dwelling to car parking through the demolition of a two storey dwelling house and two small brick out buildings.		
Application No.:	APP/16/00710	Application Type:	Full Planning Permission
Ward:	Wallasey	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Mr P Gazzola	Agent:	Neville Pickard
Location:	15 REDCAR ROAD, WALLASEY VILLAGE, CH45 8LY		
Proposal:	Single storey rear extension		
Application No.:	APP/16/00711	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	29/07/2016	Decision:	Approve
Case Officer:	Mrs S Day		
Applicant:	P.E & S.A Johnson	Agent:	
Location:	The Heyes, HERON ROAD, MEOLS, CH47 9RX		
Proposal:	Upgrade of field entrance.(retention of existing access)		
Application No.:	COMX/16/00712	Application Type:	Prior Approval Commercial PD
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Prior approval is not required
Case Officer:	Mr K Spilsbury		
Applicant:	Oaklawn Ltd c/o Aequitas Property	Agent:	DHA Planning
Location:	76 HAMILTON STREET, BIRKENHEAD, WIRRAL		
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.:	DPP3/16/00716	Application Type:	Full Planning Permission
Ward:	Upton	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Mrs Joan Wilkinson	Agent:	
Location:	Warwick Hey Park, THE WOODLANDS, UPTON, WIRRAL		
Proposal:	Small ships container for storing equipment		

Application No.:	APP/16/00719	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	27/07/2016	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Ms Linda Thompson	Agent:	Mr Richard Hughes
Location:	Amulree, 5 BROOMFIELD CLOSE, HESWALL, CH60 9HD		
Proposal:	Extension to front of property to create additional rooms, Re-align garage with property and add pitched roof, raise roof to create upstairs room space, Replace flat roof with pitched roof on rear projecting area of existing lounge area		
Application No.:	APP/16/00720	Application Type:	Full Planning Permission
Ward:	Rock Ferry	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Refuse
Case Officer:	Mr P Howson		
Applicant:	Mr Simon Cline	Agent:	Mr Raymond Lear
Location:	2 BRIARSWOOD CLOSE, ROCK FERRY, CH42 4LZ		
Proposal:	Erection of two storey side extension		
Application No.:	APP/16/00722	Application Type:	Full Planning Permission
Ward:	Claughton	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Refuse
Case Officer:	Mr P Howson		
Applicant:	Mrs Murugathasan	Agent:	MAT DESIGN
Location:	94 BIDSTON AVENUE, CLAUGHTON, CH41 0BS		
Proposal:	CHANGE OF USE OF THE PREMISES FROM A1 RETAIL TO A5 HOT FOOD INCLUDING EXTERNAL ALTERATIONS (amended description)		
Application No.:	COMX/16/00725	Application Type:	Prior Approval Commercial PD
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	26/07/2016	Decision:	Not required
Case Officer:	Mr K Spilsbury		
Applicant:	Miss Louise Cross	Agent:	Mr Alan Webster
Location:	138 BEBINGTON ROAD, NEW FERRY, CH62 5BJ		
Proposal:	Notification for prior approval for a change of use from shops (Class A1), Financial and Professional Services (Class A2), betting offices, pay day loan shops and casinos (sui generis uses) to restaurants and cafe's (class A3)		
Application No.:	APP/16/00726	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Allandale Care Group	Agent:	C W Jones
Location:	ALLANDALE, FARR HALL ROAD, HESWALL, WIRRAL, CH60 4SD		
Proposal:	Extension to form dining room		

Application No.:	APP/16/00729	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	22/07/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr Minton	Agent:	Bryson MuHugh Architects
Location:	42 MARK RAKE, BROMBOROUGH, CH62 2DP		
Proposal:	Two storey extension and single storey rear extension		
Application No.:	APP/16/00733	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr Kevin Coakley	Agent:	
Location:	30 BANKS AVENUE, MEOLS, CH47 0NQ		
Proposal:	Single storey extension at rear of house (retrospective works)		
Application No.:	RESX/16/00736	Application Type:	Prior Approval Householder PD
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Prior Approval Given
Case Officer:	Mrs S Lacey		
Applicant:	Mr & Mrs Whittaker	Agent:	Mr G Stott
Location:	8 FEILDEN ROAD, BEBINGTON, CH63 3DP		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.85m for which the maximum height would be 3.0m and for which the height of the eaves would be 2.7m		
Application No.:	OUT/16/00737	Application Type:	Outline Planning Permission
Ward:	Moreton West and Saughall Massie	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mrs S Day		
Applicant:	Mr John Hassall	Agent:	4mation architecture ltd
Location:	Land adjacent to Howdens, TARRAN WAY WEST, MORETON, WIRRAL		
Proposal:	Proposed Industrial Unit with mezzanine level and parking		
Application No.:	APP/16/00738	Application Type:	Full Planning Permission
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Brenda Simcock	Agent:	PATERSON MACAULAY & OWENS
Location:	3 HOLMWAY, HIGHER BEBINGTON, CH63 2QA		
Proposal:	Proposed rear extension to from garden room		

Application No.:	APP/16/00739	Application Type:	Full Planning Permission
Ward:	Eastham	Decision Level:	Delegated
Decision Date:	14/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mr Gary Lee Podmore	Agent:	Pro-TECH Architecture Ltd
Location:	26 ATHOL DRIVE, EASTHAM, CH62 8DP		
Proposal:	Proposed new dwelling		
Application No.:	APP/16/00740	Application Type:	Full Planning Permission
Ward:	Cloughton	Decision Level:	Delegated
Decision Date:	13/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mr P Augustin	Agent:	m f architecture ltd
Location:	1 THE RIDINGS, NOCTORUM, CH43 9XZ		
Proposal:	To erect a two-storey detached dwelling (following subdivision of plot)		
Application No.:	APP/16/00744	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Approve
Case Officer:	Ms J Storey		
Applicant:	Merseytravel	Agent:	Waterman
Location:	Spital Railway Station, SPITAL ROAD, BEBINGTON, CH62 2AD		
Proposal:	Change of use of land from previous caravan storage site to create an extension to the existing Spital Park and Ride and alterations to the existing layout to provide an additional 68 car parking spaces, an additional 4 mobility standard spaces and associated works. Access into the extension site to be provided through the existing car park. The extension site will also be supported by new lighting and CCTV installations.		
Application No.:	APP/16/00747	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	14/07/2016	Decision:	Approve
Case Officer:	Mrs J Malpas		
Applicant:	Ms S Kennedy	Agent:	Paddock Johnson Partnership
Location:	22 WINDY BANK, PORT SUNLIGHT, CH62 5ED		
Proposal:	The works include the removal of a closed panel timber fence and replacement masonry wall being constructed in its place.		
Application No.:	APP/16/00748	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	11/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mr Horrocks	Agent:	BDM Ltd.
Location:	Juniper, 2 HOLMWOOD GARDENS, NEWTON, CH48 8DB		
Proposal:	Erection of a single storey Conservatory at the rear of the property		

Application No.:	APP/16/00750	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	05/08/2016	Decision:	Refuse
Case Officer:	Mrs MA Jackson		
Applicant:	Mr D Jones	Agent:	Spring Architects Ltd
Location:	30 OVERDALE AVENUE, BARNSTON, CH61 1DB		
Proposal:	Demolition of existing garage and small rear extension, with an addition of a single storey side and rear extension.		
Application No.:	ADV/16/00755	Application Type:	Advertisement Consent
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	28/07/2016	Decision:	Approve
Case Officer:	Ms J Storey		
Applicant:	Travis Perkins Group	Agent:	Greens the Signmakers Limited
Location:	Unit 1, Rock Retail Park, MOLLINGTON LINK, TRANMERE, CH41 9DF		
Proposal:	1no internally illuminated flexible skin box sign with only letters and border to illuminate, 2no sets of non illuminated flat cut letters, 1no non illuminated aluminium 'welcome' sign, 2no. poster frames all to front elevation, 2no. aluminium pans with letters and edges in metal and acrylic to illuminate fitted to side elevations 3no. non illuminated double sided free standing signs all signs replacing existing		
Application No.:	APP/16/00757	Application Type:	Full Planning Permission
Ward:	Liscard	Decision Level:	Delegated
Decision Date:	27/07/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Ms S Williams	Agent:	pdv design ltd
Location:	68-70 WALLASEY ROAD, LISCARD, WIRRAL		
Proposal:	Conversion of existing derelict shop into licenced coffee shop A3/A4 mixed use. Works to include new frontage, replacement of all existing windows, demolition of existing single storey bay to rear elevation, new roof, removal of 2no. leaning chimney stacks to below roof level.		
Application No.:	DLS/16/00758	Application Type:	Reserved Matters
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Blueoak Estates	Agent:	M F Architecture Ltd
Location:	4 SPRINGFIELD AVENUE, NEWTON, CH48 9UZ		
Proposal:	Approval of reserved matters (Layout/Scale/Appearance/Access and Landscaping) following the grant of Outline Planning Permission for the erection of 7 detached dwellings.		

Application No.:	APP/16/00759	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mr & Mrs Candlish	Agent:	Condy & Lofthouse Ltd
Location:	39 TILSTOCK CRESCENT, PRENTON, CH43 0ST		
Proposal:	Demolition of existing garage and extension to the side and rear of the property with associated landscaping works.		
Application No.:	ADV/16/00760	Application Type:	Advertisement Consent
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:	Iceland Foods Ltd	Agent:	RRDS Ltd
Location:	Unit 5B, Rock Retail Park, MOLLINGTON LINK, TRANMERE, CH41 9DF		
Proposal:	High-level flexbox sign to front elevation		
Application No.:	ADV/16/00761	Application Type:	Advertisement Consent
Ward:	Claughton	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:	Sublime Stores Ltd	Agent:	CFM Consultants Ltd.
Location:	Unit 3, TOWNFIELD CLOSE, NOCTORUM, CH43 9JW		
Proposal:	Installation of 2 No. internally illuminated fascia signs.		
Application No.:	APP/16/00767	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Approve
Case Officer:	Ms J Storey		
Applicant:	Mr C Coventry	Agent:	JLArchitectonics
Location:	43 TELEGRAPH ROAD, HESWALL, WIRRAL		
Proposal:	The proposal is to change the current use of the building from a Chinese restaurant into offices on both ground and first floor. There is also some demolition work to the rear of the property.		
Application No.:	RESX/16/00768	Application Type:	Prior Approval Householder PD
Ward:	Upton	Decision Level:	Delegated
Decision Date:	14/07/2016	Decision:	Prior approval is not required
Case Officer:	Miss A McDougall		
Applicant:	Mrs Newman	Agent:	
Location:	16 ARBORN DRIVE, UPTON, CH49 6JS		
Proposal:	Erection of a conservatory which would extend beyond the rear wall of the original house by 3.60m for which the maximum height would be 3.10m and for which the height of the eaves would be 2.40m		

Application No.:	APP/16/00769	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	04/08/2016	Decision:	Refuse
Case Officer:	Mrs C Parker		
Applicant:	Mrs C P Scott	Agent:	Brassey Partnership
Location:	Sylvandale, 191 SPITAL ROAD, BROMBOROUGH, CH62 2AF		
Proposal:	Change of use of existing building to 4no houses of multiple occupation-6 persons and 3no residential units		
Application No.:	APP/16/00772	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	27/07/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr & Mrs Melliush	Agent:	KJP Architecture
Location:	1A PROSPECT ROAD, PRENTON, CH42 8LE		
Proposal:	Single Storey Side Extension, amended fenestration and complete rendering of dwelling with new roof tiles.		
Application No.:	DPP3/16/00773	Application Type:	Work for Council by Council
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mrs J Malpas		
Applicant:	Wirral Council	Agent:	Wirral Council
Location:	Church Drive Primary School, CHURCH DRIVE, PORT SUNLIGHT, CH62 5EF		
Proposal:	Replacement of existing aluminum door to hardwood automatic door		
Application No.:	APP/16/00774	Application Type:	Full Planning Permission
Ward:	Rock Ferry	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Miss Makiyla- Rose Roberts	Agent:	Bromilow Architects Ltd
Location:	67 BYRNE AVENUE, ROCK FERRY, CH42 4PG		
Proposal:	Proposed rear extension to provide accessible bedroom and bathroom to dwelling.		
Application No.:	APP/16/00775	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mazdon Construction Ltd	Agent:	Damian Field Architects Ltd
Location:	Sherwood, 3 PIKES HEY ROAD, CALDY, CH48 1PA		
Proposal:	Two storey side extension, raising of main roof & internal modifications		

Application No.:	APP/16/00778	Application Type:	Full Planning Permission
Ward:	Greasby Frankby and Irby	Decision Level:	Delegated
Decision Date:	25/07/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr J K Jackson	Agent:	Building Contractors
Location:	82 BROOKDALE AVENUE SOUTH, GREASBY, CH49 1SP		
Proposal:	A single storey side and rear extension, including internal alterations		
Application No.:	APP/16/00780	Application Type:	Full Planning Permission
Ward:	New Brighton	Decision Level:	Delegated
Decision Date:	27/07/2016	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:	Mr Scott Ward	Agent:	D.J. Cooke & Co Ltd
Location:	6 PRINCESS ROAD, NEW BRIGHTON, CH45 5EP		
Proposal:	Formation of dormers to front and rear roof slopes		
Application No.:	APP/16/00786	Application Type:	Full Planning Permission
Ward:	Bidston and St James	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Vittoria Healthcare Limited	Agent:	NCS PCL
Location:	Vittoria Pharmacy, 134 ST ANNE STREET, BIRKENHEAD, CH41 3SJ		
Proposal:	Single Storey extensions to the side and rear of the existing pharmacy		
Application No.:	DPP4/16/00788	Application Type:	Work for Council by outside body
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	22/07/2016	Decision:	Approve
Case Officer:	Mr K Spilsbury		
Applicant:	Wirral Borough Council, Department of Universal and Infrastructure Services	Agent:	TACP Architects Ltd
Location:	Town Lane Infant School, TOWN LANE, HIGHER BEBINGTON, CH63 8LD		
Proposal:	Erection of two single storey extensions to existing school building to provide two additional classrooms (one extension to south facade and demolition of existing lightweight courtyard structures to allow for new extension in courtyard), replacement resource areas and additional WC facilities to accommodate the proposed increase in pupil intake		
Application No.:	APP/16/00790	Application Type:	Full Planning Permission
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	22/07/2016	Decision:	Approve
Case Officer:	Mrs C Parker		
Applicant:	Office of the Police and Crime Commissioner for Merseyside	Agent:	Edge Architects
Location:	Bebington Police Station, CIVIC WAY, BEBINGTON, CH63 7SF		
Proposal:	Proposed single storey interview suite located to the rear of the existing police station with associated revisions to car parking and site boundary.		

Application No.:	APP/16/00793	Application Type:	Full Planning Permission
Ward:	Hoyle and Meols	Decision Level:	Delegated
Decision Date:	22/07/2016	Decision:	Approve
Case Officer:	Mrs S Williams		
Applicant:	Mr & Mrs Bowyer	Agent:	Garry Usherwood Associates Limited
Location:	42 QUEENS ROAD, HOYLAKE, CH47 2AJ		
Proposal:	Single storey rear extension		
Application No.:	APP/16/00797	Application Type:	Full Planning Permission
Ward:	Greasby Frankby and Irby	Decision Level:	Delegated
Decision Date:	25/07/2016	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Ms S Glover	Agent:	CADStation
Location:	29 DENNING DRIVE, IRBY, CH61 4YH		
Proposal:	Single storey side extension with porch extension to front elevation		
Application No.:	APP/16/00798	Application Type:	Full Planning Permission
Ward:	Bidston and St James	Decision Level:	Delegated
Decision Date:	22/07/2016	Decision:	Approve
Case Officer:	Mrs S Williams		
Applicant:	Mr & Mrs Thompson	Agent:	KJP Architecture
Location:	172 UPTON ROAD, BIDSTON, CH43 7QQ		
Proposal:	Side Extension and alterations		
Application No.:	APP/16/00801	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Mr Brian Norcott	Agent:	C W Jones
Location:	74 DAWSTONE ROAD, HESWALL, WIRRAL, CH60 8ND		
Proposal:	Erection of detached garage (Amendment to planning permission APP/15/00692)		
Application No.:	APP/16/00802	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Mr Keith Trickey	Agent:	C W Jones
Location:	2 WIRRAL MOUNT, NEWTON, CH48 6EW		
Proposal:	Two storey rear extension and front porch (Amendment to planning permission APP/16/00366 to include side en-suite window)		

Application No.:	APP/16/00803	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mr & Mrs M Meredith Jones	Agent:	Castree Design & Relocation
Location:	8 THE ROYAL, HOYLAKE, W IRRAL, CH47 1HS		
Proposal:	Retrospective consent for retention of a single storey rear extension (amended description).		
Application No.:	APP/16/00808	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	29/07/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr & Mrs Allison	Agent:	KJP Architecture
Location:	37 THE LEAS, THINGWALL, CH61 1BA		
Proposal:	Two storey side extension - revised proposals.		
Application No.:	APP/16/00810	Application Type:	Full Planning Permission
Ward:	Liscard	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mrs C Ithel	Agent:	Mr M Matthews
Location:	11A BURFORD AVENUE, LISCARD, CH44 3EH		
Proposal:	To erect a single storey rear extension.		
Application No.:	RESX/16/00814	Application Type:	Prior Approval Householder PD
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	20/07/2016	Decision:	Prior approval is not required
Case Officer:	Miss A McDougall		
Applicant:	Mr D Connell	Agent:	Bryson McHugh Architects
Location:	27 SEAFIELD ROAD, NEW FERRY, CH62 1EQ		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.965m for which the maximum height would be 4m and for which the height of the eaves would be 3m		
Application No.:	APP/16/00822	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr P McCann	Agent:	Bromilow Architects Ltd
Location:	30 GOLF LINKS ROAD, PRENTON, CH42 8LW		
Proposal:	Proposed erection of replacement boundary wall and access gates with associated landscaping alterations.		

Application No.:	RESX/16/00825	Application Type:	Prior Approval Householder PD
Ward:	Rock Ferry	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Prior approval is not required
Case Officer:	Mrs MA Jackson		
Applicant:	Mr R Caldecott	Agent:	Mr Andrew Burton
Location:	20 BANKSIDE ROAD, HIGHER BEBINGTON, CH42 4NS		
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 3.9m and for which the height of the eaves would be 2.6m		
Application No.:	RESX/16/00826	Application Type:	Prior Approval Householder PD
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	22/07/2016	Decision:	Prior approval is not required
Case Officer:	Mrs MA Jackson		
Applicant:	Mr Kevin Franklin	Agent:	Mr Andrew Burton
Location:	22 BERTRAM DRIVE, MEOLS, CH47 0LQ		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.2m for which the maximum height would be 3.2m and for which the height of the eaves would be 2.8m		
Application No.:	APP/16/00843	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:	Mr & Mrs Melville	Agent:	Architects-Direct.com
Location:	The Pippins, 39 OLDFIELD WAY, HESWALL, CH60 6RH		
Proposal:	Single storey rear extension. Amendments to rear elevation. External terrace and retaining walls. (amended description)		
Application No.:	LDP/16/00858	Application Type:	Lawful Development Certificate Proposed
Ward:	Wallasey	Decision Level:	Delegated
Decision Date:	04/08/2016	Decision:	Withdrawn by Applicant
Case Officer:	Mr P Howson		
Applicant:	Mr & Mrs McKillop	Agent:	Kriss Cringle Associates
Location:	15 ENNERDALE ROAD, NEW BRIGHTON, CH45 0LX		
Proposal:	The demolition of an existing single storey outrigger to the rear and the construction of a new single storey building. The new building does not extend any further than the demolished structure. The existing outrigger has a pitched roof whilst the new building is to have a flat roof with a glazed roof light.		
Application No.:	LDP/16/00863	Application Type:	Lawful Development Certificate Proposed
Ward:	Oxton	Decision Level:	Delegated
Decision Date:	26/07/2016	Decision:	Lawful Use
Case Officer:	Mr N Williams		
Applicant:	Ms L Sawyer	Agent:	Spatial 3D
Location:	224 HOLMLANDS DRIVE, OXTON, CH43 0UU		
Proposal:	Remove an existing conservatory and erect a single storey extension to the rear of the property to provide a kitchen extension, living area and WC		

Application No.:	APP/16/00870	Application Type:	Full Planning Permission
Ward:	Liscard	Decision Level:	Delegated
Decision Date:	03/08/2016	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	mab	Agent:	
Location:	Chiropractic Clinic, 115 WALLASEY ROAD, LISCARD, CH44 2AA		
Proposal:	Change of use from a medical office to a financial services		
Application No.:	RESX/16/00879	Application Type:	Prior Approval Householder PD
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Prior Approval Given
Case Officer:	Mrs S Lacey		
Applicant:	Mr D Gallagher	Agent:	
Location:	16 TUDORVILLE ROAD, BEBINGTON, CH63 2HU		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 3.7m for which the maximum height would be 3.9m and for which the height of the eaves would be 2.55m		
Application No.:	RESX/16/00892	Application Type:	Prior Approval Householder PD
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	28/07/2016	Decision:	Prior approval is not required
Case Officer:	Miss A McDougall		
Applicant:	Mr & Mrs Paul Winter	Agent:	Irvin Consultants
Location:	Barnamire, 28 PRIVATE DRIVE, BARNSTON, CH61 1DE		
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 3.6m and for which the height of the eaves would be 3.0m		
Application No.:	RESX/16/00896	Application Type:	Prior Approval Householder PD
Ward:	Claughton	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Prior approval is not required
Case Officer:	Mrs S Williams		
Applicant:	Mrs N Mayer	Agent:	WHOLESALE WINDOWS
Location:	17 WOODSORREL ROAD, CLAUGHTON, CH41 0DN		
Proposal:	Erection of a conservatory which would extend beyond the rear wall of the original house by 4m for which the maximum height would be 2.7m and for which the height of the eaves would be 2.1m		
Application No.:	RESX/16/00897	Application Type:	Prior Approval Householder PD
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Prior approval is not required
Case Officer:	Mrs S Williams		
Applicant:	Mrs Paula Robinson	Agent:	
Location:	224 PENSBY ROAD, HESWALL, CH61 6UF		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.6m for which the maximum height would be less than 2.9m and for which the height of the eaves would be 2.9m		

Application No.:	RESX/16/00918	Application Type:	Prior Approval Householder PD
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	02/08/2016	Decision:	Prior approval is not required
Case Officer:	Mrs S Williams		
Applicant:	Mr Gary Barker	Agent:	St Helens Windows
Location:	24 ECCLESHALL ROAD, NEW FERRY, CH62 4SA		
Proposal:	Erection of a conservatory which would extend beyond the rear wall of the original house by 4m for which the maximum height would be 3.6m and for which the height of the eaves would be 2.5m		
Application No.:	APP/16/00962	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	21/07/2016	Decision:	Withdrawn by Applicant
Case Officer:	Miss A McDougall		
Applicant:	Mr John Walker	Agent:	SDA Architecture Limited
Location:	1 WESTBOURNE AVENUE, WEST KIRBY, CH48 4DP		
Proposal:	Rear extension to end of terrace property		
Application No.:	LBC/16/00975	Application Type:	Listed Building Consent
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	28/07/2016	Decision:	Not required
Case Officer:	Mrs J Malpas		
Applicant:	Mr L McKeown	Agent:	
Location:	29 BATH STREET, PORT SUNLIGHT, CH62 4UL		
Proposal:	To resurface the rear yard of the property. Changing the material from concrete to paving slabs		

Total Number of Applications Decided: 97

Summary of data

	Total Per D
Approve	70
Lawful Use	1
Not required	2
Prior Approval Given	2
Prior approval is not required	10
Refuse	10
Withdrawn by Applicant	2
Report Total	97