

Planning Committee
18 August 2016

Reference:
APP/16/00422

Area Team:
South Team

Case Officer:
Mrs C Parker

Ward:
Heswall

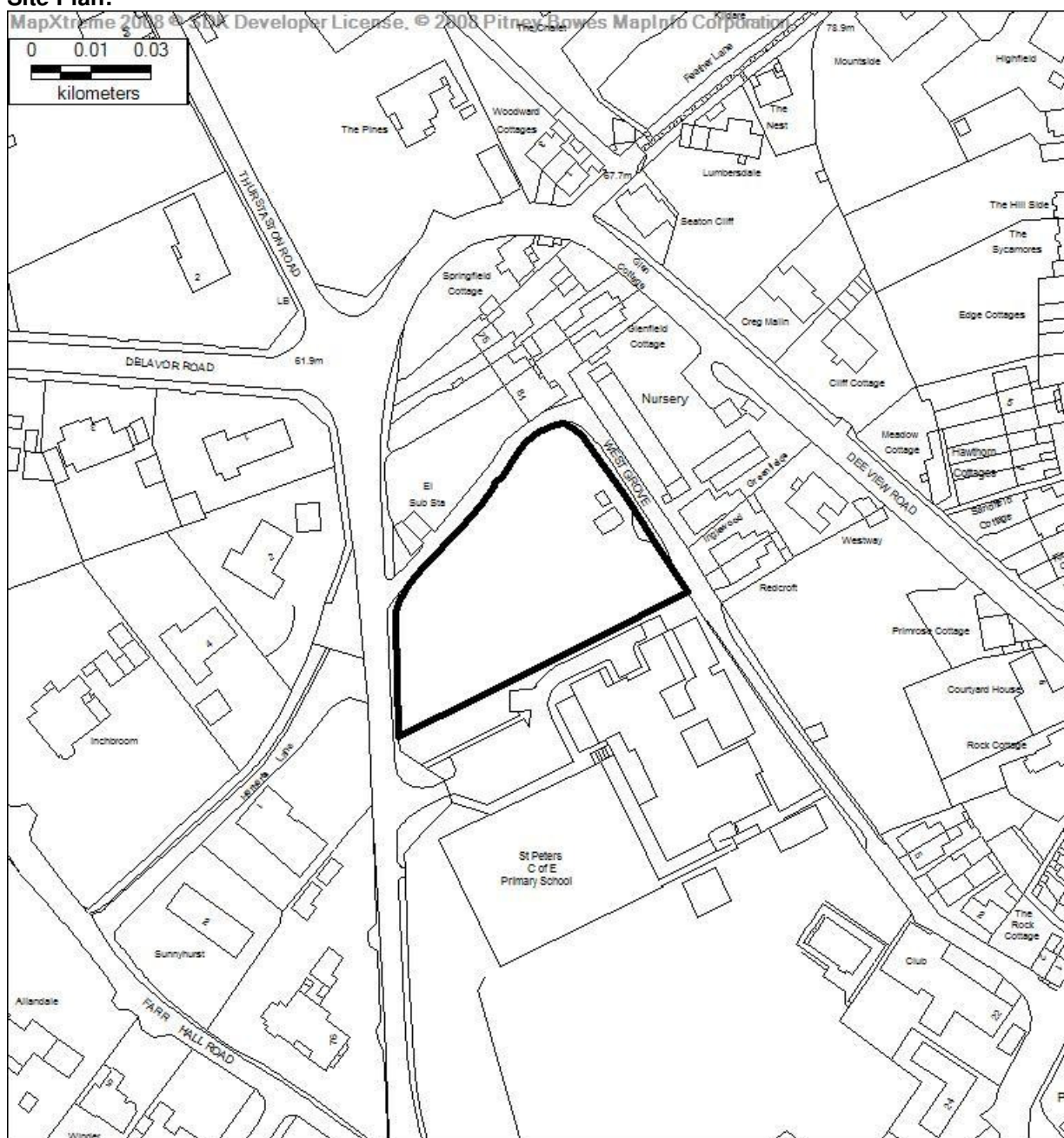
Location: Land Adjacent to St Peters CE Primary School, THURSTASTON ROAD, HESWALL, CH60 4SA

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