

## Planning Committee

25 January 2011

**Reference:**  
**APP/10/01205**

**Area Team:**  
**South Team**

**Case Officer:**  
**Miss A McDougall**

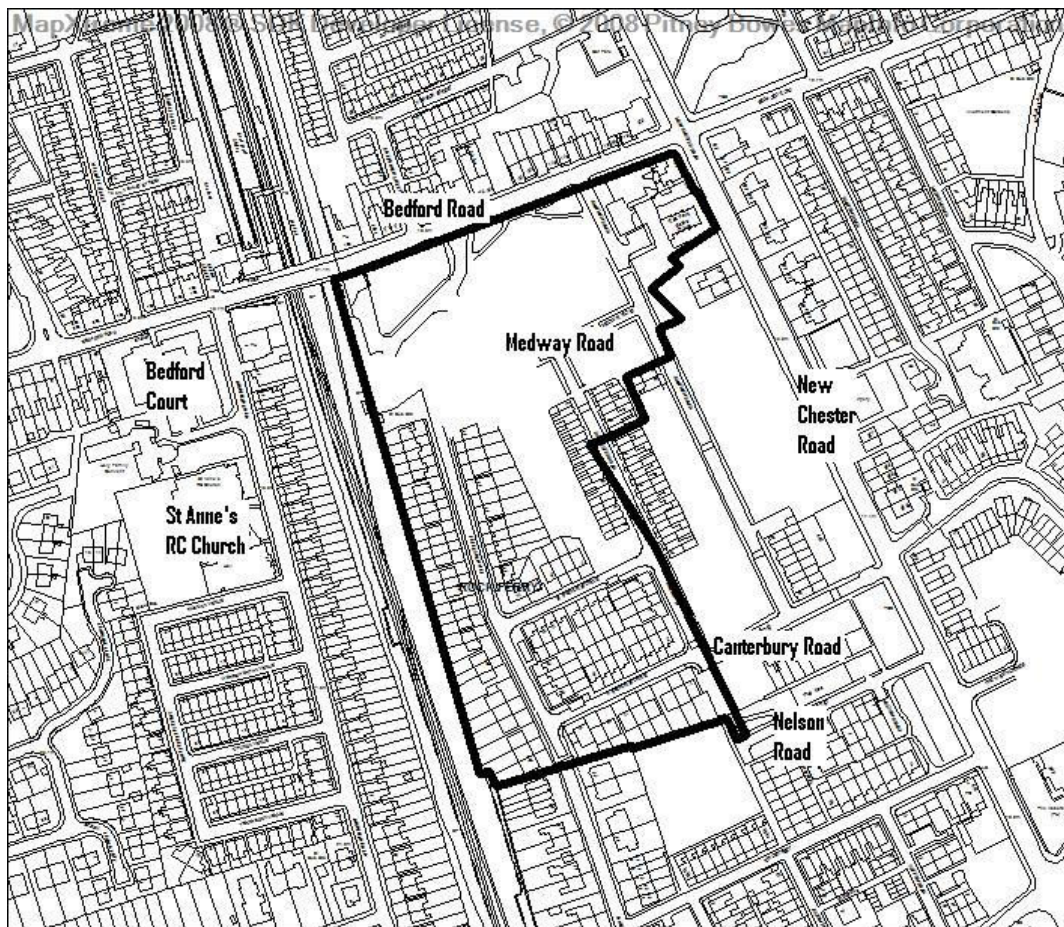
**Ward:**  
**Rock Ferry**

**Location:** Land boarded by Bedford Road to north, New Chester Road to east and Nelson Road to south, Rock Ferry, Wirral

**Proposal:** Erection of 148 houses (extension of time to OUT/2006/7397)

**Applicant:** Lovell Partnerships Ltd  
**Agent :** DK Architects

### Site Plan:



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### Development Plan allocation and policies:

Primarily Industrial Area  
Primarily Residential Area  
Rail Corridor subject to Environmental Improvement  
HS4  
PPS3  
Fiveways Masterplan

**Planning History:**

OUT/06/7397 - Erection of 148 houses - Approved

DLS/07/7468 - Erection of 128 houses - Approved

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

10 separate site notices were displayed. At the time of writing this report no objections have been received.

**Consultations:**

Director of Law, HR and Asset Management (Environmental Health) - No objection subject to previous conditions being imposed

Director of Technical Services (Traffic Management) - No objection subject to previous conditions being imposed

**Director's Comments:****INTRODUCTION**

The proposal is for an extension of time on an extant planning permission. The proposal is for the erection of 148 houses however a subsequent planning approval 07/7468 gave approval to the reserved matters for 128 houses. The remainder of the dwellings have therefore not had approval of the reserved matters and the planning permission expired on October 5th 2010, this proposal was submitted prior to the Outline permission expiring.

**PRINCIPLE OF DEVELOPMENT**

The proposal is for an extension of time to a previously approved planning application, the principle of the development is acceptable.

**SITE AND SURROUNDINGS**

This section of the site runs east of the train station with Bedford Road to the North only a section of this whole site bounds New Chester Road to the east the boundary of this site then wraps around the proposal site under 10/01206. The site accommodates predominantly the Primarily Residential Area however a section of the site falls under Industrial land designation.

The site has been part cleared and some of the houses are under construction, the site lies within the Fiveways Masterplan Area. The Masterplan has been developed in conjunction with local residents and stakeholders to undertake redevelopment of the area through the acquisition and demolition of existing houses and replace them with a residential scheme.

**POLICY CONTEXT**

The redevelopment that takes part within the designated residential area is acceptable in terms of use under PPS3 and HS4. There is a section of the site that forms part of the industrial area, whilst the scheme has been deemed acceptable across the site the Fiveways Masterplan which has been adopted by the Council is a material consideration in terms of regeneration. The industrial site "The Sidings" have had the businesses relocated to appropriate areas or have ceased trade prior to the inception of the Masterplan, the remodelling of the area removes the requirement of industrial land in this location and the relocation of existing businesses would not adversely affect the Economic Strategy for the Borough. The Fiveways Masterplan is a regeneration scheme that will improve the social and economic aims of the area.

In terms of HS4 and PPS3 the proposal is acceptable, the site regenerates an existing residential area that is located within a sustainable location. The site lies between the town centres of New Ferry and Rock Ferry and is bounded by a train station. The overall principle of the scheme is acceptable, 128 of the dwellings have been approved under a subsequent reserved matters application and are currently under construction, this leaves 20 houses subject to details to be submitted.

## **APPEARANCE AND AMENITY ISSUES**

The proposal is for an extension of time to an Outline application however 128 of the houses under this initial scheme have been approved under a subsequent reserved matters application. The proposal seeks the extension of time for the outline as a whole which will allow additional time to submit the details for the remainder 20 residential units. Under any subsequent reserved matters application the details of the siting and design will be subject to approval.

## **SEPARATION DISTANCES**

The proposal is for Outline consent, 128 of the houses have been approved in terms of location and appearance, this proposal will give the site an additional 3 years in which to submit reserved matters therefore the design and siting of the remainder houses will be determined as part of the reserved matters submission. There are currently no separation distances to determine.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal.

## **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The proposal is a residential regeneration scheme, the site re-uses a previously developed site and as such creates a sustainable form of development.

## **CONCLUSION**

The proposed scheme is acceptable in terms of reuse of the site in accordance with the regeneration objectives of the Fiveways Masterplan. The extension of time is acceptable having regard to Policy HS4 of the adopted Wirral Unitary Development Plan and PPS3.

## **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 and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed scheme is acceptable in terms of reuse of the site in accordance with the regeneration objectives of the Fiveways Masterplan. The extension of time is acceptable having regard to Policy HS4 of the adopted Wirral Unitary Development Plan and PPS3.

**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 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. 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.

4. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

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

5. No development approved by this permission shall be commenced 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:** To prevent pollution of controlled waters and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. Any further submission of details shall include floor levels of the dwellings and relationship to the level of the highway.

**Reason:** In the interests of highway safety.

7. Details of any security or floodlighting shall be submitted to and agreed in writing with the Local Planning Authority before any lighting is brought into use.

**Reason:** In the interests of residential amenity.

8. All areas shown on plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to commencement of any demolition/construction work on the site, such landscaping work to be completed in accordance with a scheme as agreed by the Local Planning Authority. The scheme shall also indicate areas not affected by existing trees and shrubs not directly affected by the buildings and works. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size as those originally required by the landscaping scheme as approved

**Reason:** To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

9. 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.

10. 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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure shall be erected on any part of the land lying between any main wall of the building fronting a highway and the highway boundary.

**Reason:** To preserve the visual amenities of the area and to accord with Policy HS4 of the Wirral Unitary Development Plan.

12. Prior to commencement of development a scheme of noise insulation shall be submitted to and approved in writing by the Local Planning Authority for all properties facing adjacent to New Chester Road to the eastern boundary to the site. Upon receipt of written approval from the Local Planning Authority all details shall be implemented in full and retained as such thereafter.

**Reason:** In the interests of residential amenity

13. Prior to the commencement of development a scheme shall be submitted to and approved in writing by the LPA for the reinstatement of all redundant accesses to standard footway levels. Upon receipt of written approval from the LPA all approved details shall be implemented in full prior to the dwellings first being brought into use.

**Reason:** In the interests of highway Safety.

14. Any subsequent reserved matters application submitted to the LPA must comply and be in accordance with all aspects of the content of the accompanying design code to this application hereby approved.

**Reason:** In the interests of residential amenity and having regard to Policy HS4 of the adopted Wirral UDP.

15. As part of the submission of the reserved matters, finished floor levels shall be provided together with proposed levels within the site and a survey or existing site levels.

**Reason:** To ensure a satisfactory appearance of the development and to minimise any potential for overlooking and having regard to Policy HS4 of the adopted Wirral UDP.

**Further Notes for Committee:**

**Last Comments By:** 09/12/2010 09:26:43

**Expiry Date:** 01/02/2010