

## Planning Committee

25 January 2011

**Reference:**  
**APP/10/01303**

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

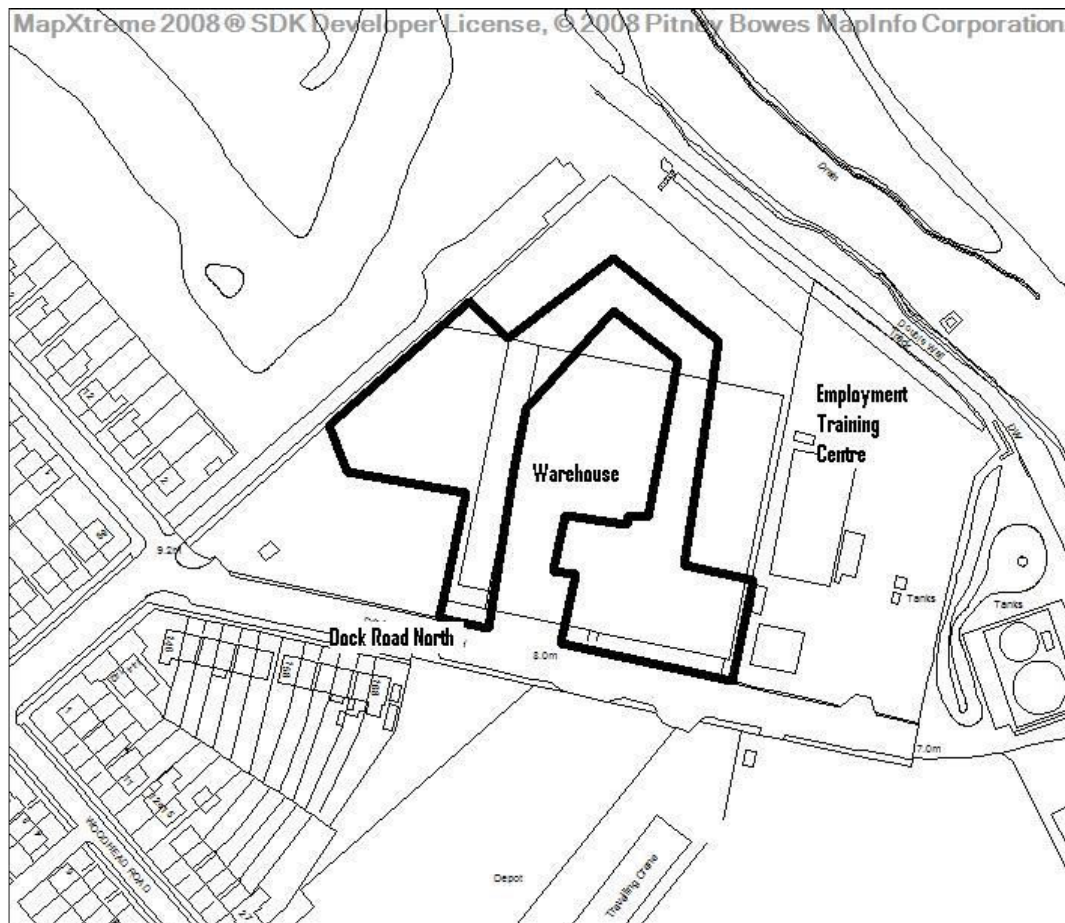
**Case Officer:**  
**Mr K Spilsbury**

**Ward:**  
**Bromborough**

**Location:** Derelict Site, DOCK ROAD NORTH, BROMBOROUGH, CH62 4TQ  
**Proposal:** Relocation of plots 12-18 and 46-54 inclusive due to existing and proposed drainage basement routes, the widening of all footpaths to 2m and omission of grassed service verges (Minor Amendment to planning permission APP/2010/00672)

**Applicant:** Barratt Homes Manchester  
**Agent :**

### Site Plan:



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### Development Plan allocation and policies:

Primarily Industrial Area  
Coastal Zone

### Planning History:

APP/2006/7366 - Erection of 74no.dwellings consisting of 53 houses (detached, semi-detached and terraced) and 21 self-contained apartments in a three storey block with associated access, parking

and landscaping - Approved 25/06/2009

APP/2010/00672 - Residential development comprising of 69 new dwellings in a range of different types, including all roads, footpaths and associated landscaping- Approved 30/09/2010

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

A site notice was posted outside the site and individual letters of notification were sent out.

At the time of writing this report no letters of objection have been received.

### **CONSULTATIONS**

Director of Law, Human Resources & Asset Management (Pollution Control) - No Objections

Director of Technical Services (Traffic Management Division) – No Objections

### **Director's Comments:**

### **REASON FOR REFERRAL TO PLANNING COMMITTEE:**

The number of dwellings proposed with this application constitutes Major Development and therefore the proposals are subject to the approval of the Planning Committee.

### **INTRODUCTION**

The proposed development is a revision to the full planning application for 69 residential dwellings comprising 2 and 2.5 storey properties.

The proposed development involves the relocation of plots 12-18 and 46-54 inclusive as a result of the existing and proposed drainage basement routes, the widening of all footpaths to 2m and omission of grassed service verges (amendment to planning permission APP/2010/00672).

### **PRINCIPLE OF DEVELOPMENT**

The application site is designated for industrial development within the adopted Wirral UDP. However as the site benefits from planning permission under the previous consent (APP/10/00672) the principle of residential development in this location has been established, with an extant permission in place.

The site is also located in an area the Council has identified as a regeneration priority area, where new residential development is considered as acceptable, as defined within the Council's Interim Planning Policy. Details of extensive marketing of the site for an employment use (for retail or purchase) that was undertaken between 2001 and 2007 has demonstrated that there was very limited interest due to the dilapidated conditions of the buildings that were previously on site but have since been demolished.

The extant planning permission on the site for 69 dwellings, together with the supporting information submitted with this application and the material consideration of the adopted Interim Planning Policy is considered to weigh in favour of allowing residential development despite the sites allocation for employment purposes in the UDP. As demonstrated with two previous grants of planning permission, the proposal development is acceptable in principle.

### **SITE AND SURROUNDINGS**

The application site measures approximately 1.7 hectares and is in a relatively derelict state. The site used to contain a warehouse and distribution unit but these were destroyed by fire and have been subsequently demolished.

The site is bounded to the north by the landfill site which also wraps around to the west of the site. This has operation has now ceased. To the west are residential properties that generally comprise semi-detached dwellings.

To the east of the site is a plant hire and maintenance depot whilst immediately to the south of the site, on the opposite side of Dock Road North are traditional terraced houses with a vehicle salvage

yard lying to the east of those dwellings.

### **POLICY CONTEXT**

The UDP identifies the site as being within a Primarily Industrial Area and is therefore subject to policies EM8 and EM9. Given the material considerations outlined above, including the extant permission on the site, PPS 1 and 3 are now relevant, the Interim Planning Policy and UDP policies HS4, HSG2, HS6, GR6 and TR9 are now relevant.

### **APPEARANCE AND AMENITY ISSUES**

This application seeks amendments to the grant of planning permission that was approved by Planning Committee in September 2010 and results from the developer discovering an existing drainage easement running through the site. It is now necessary to relocate plots 12-18 and 46-54. The overall design of the scheme will remain the same with the exception of the amended plots.

The site layout will be consistent with the existing street scene and will provide similarly scaled 2 and 2.5 storey dwellings with similar separation distances to those existing properties surrounding the site. It is considered that the proposed scheme will tie into the existing residential fabric of the area.

The houses would be a combination of semi-detached and terraced properties.

Each dwelling has a parking space and an acceptable level of private amenity space to the rear. The final details of the materials to be used in the construction of the dwellings and any boundary treatments could be controlled through the use of planning conditions should Members be minded to approve the application.

### **SEPARATION DISTANCES**

As with the original planning application the proposed dwellings achieve the Council's separation distances. If dwelling houses are located within close proximity to each other then the footprint of the dwelling is splayed at an angle to ensure the separation distances are met.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The proposed development will offer a mix of on street parking, rear parking courts, integral and detached garages and driveways. The Director of Technical Services (Traffic Management Division) has no objection to the proposed development subject to conditions.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The site is a previously developed brownfield site as it has been previously developed for an industrial use. There is minimal landscaping around the site at present and the proposed development, and in particular the proposed landscaping, would result in a positive contribution to the visual appearance of the area.

As stated the proposal is bordered to the east and the south by industrial developments and to the north by the land fill site. The Council's Environmental Protection Officers have not objected to the proposal but have made some comments regarding the landfill site.

As a result of the comments received by the Environmental Protection Officers the comments of the Environment Agency were sought regarding the close proximity of the site to the landfill site. The Agency was consulted on the application and provided standard Local Planning Guidance that they give for developments within 250 metres of a landfill site. This guidance states that a condition should be attached to any approval to ensure that a comprehensive landfill gas site investigation and assessment should be undertaken prior to development being commenced. It is proposed to attach such a condition should Members be minded to approve the application.

### **HEALTH ISSUES**

There are no health implications relating to this application.

### **CONCLUSION**

The proposed amended layout is considered acceptable and combined with the design of the proposed dwellings would result in a development that would have a positive impact on the character and appearance of the area without compromising the amenities of the occupiers of neighbouring

residential properties. The proposal is therefore acceptable in terms of the relevant national and local planning policies.

**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 amended layout is considered acceptable and combined with the design of the proposed dwellings would result in a development that would have a positive impact on the character and appearance of the area without compromising the amenities of the occupiers of neighbouring residential properties. The proposal is therefore acceptable in terms of the relevant national and local planning policies.

**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.     Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.  
  
       **Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.
  
3.     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.     Before the development hereby permitted is first commenced, 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 plan(s). The development shall be carried out in accordance with the approved details and retained as such thereafter.  
  
       **Reason:** To ensure a satisfactory appearance and avoid overlooking having regard to Policy HS4 of the Wirral Unitary Development Plan
  
5.     Development shall not commence until a scheme for the provision of cycle parking has been submitted to and agreed in writing by the local planning authority. The cycle parking facility shall be erected in accordance with the approved details prior to the occupation of the development hereby approved and retained as such thereafter.  
  
       **Reason:** To promote the use of more sustainable forms of transport. This condition is

imposed having regard to policy TR12 (Requirements for Cycle Parking) of the Wirral Unitary Development Plan.

6. Prior to the commencement of development a comprehensive landfill gas site investigation and assessment shall be carried out on the development area to determine whether or not the site is, or would have the potential to be, affected by subterranean landfill gas migration from the nearby landfill site(s). This shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and should the site investigation prove the presence of landfill gas in the development site then no development should take place until it has been demonstrated and agreed in writing with the Local Planning Authority that expert advice has been taken and appropriate designs are to be incorporated in the construction and development area to alleviate any landfill gas associated risks to the development. The development shall be carried out fully in accordance with this advice. Consideration should also be given to long-term methane/carbon dioxide monitoring to ensure integrity is being maintained. Similar conditions should also apply where the site investigation/assessment does not detect significant landfill gas but demonstrates that there is a potential for gas migration through the development site (e.g. permeable substrata) and the nearby landfill is known either to be producing landfill gas, or by the nature of the waste types deposited is likely to produce landfill gas.

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

7. Before development commences a Residential Travel Plan will be 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 Residential Travel Plan and shall not be varied other than through agreement with the local planning authority.

For the avoidance of doubt, such a plan shall include:

- Access to employment, shopping and leisure from the site by residents
- Information on existing transport services to the site and travel patterns;
- Travel Plan principles including measures to promote and facilitate more sustainable transport;
- Realistic targets for modal split;
- Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
- Measures and resource allocation to promote the Residential Travel Plan; and
- Mechanisms for monitoring and reviewing the Residential Travel Plan, including the submission of an annual review and action plan to the local planning authority.

**Reason:** To promote sustainable forms of transport.

8. The development shall be carried out in strict accordance with the assessments and recommendations detailed in the Martec Environmental Consultants noise assessment report dated 21st May 2010 unless otherwise agreed in writing with the Local Planning Authority.

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

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

**Reason:** To ensure that any unexpected contamination encountered during redevelopment work is investigated and appropriately dealt with.

10. The development hereby permitted shall not be commenced until such time as a scheme

to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

11. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants.

**Further Notes for Committee:**

**Last Comments By:** 22/12/2010 12:10:21  
**Expiry Date:** 01/02/2011