Planning Committee **20 June 2019**

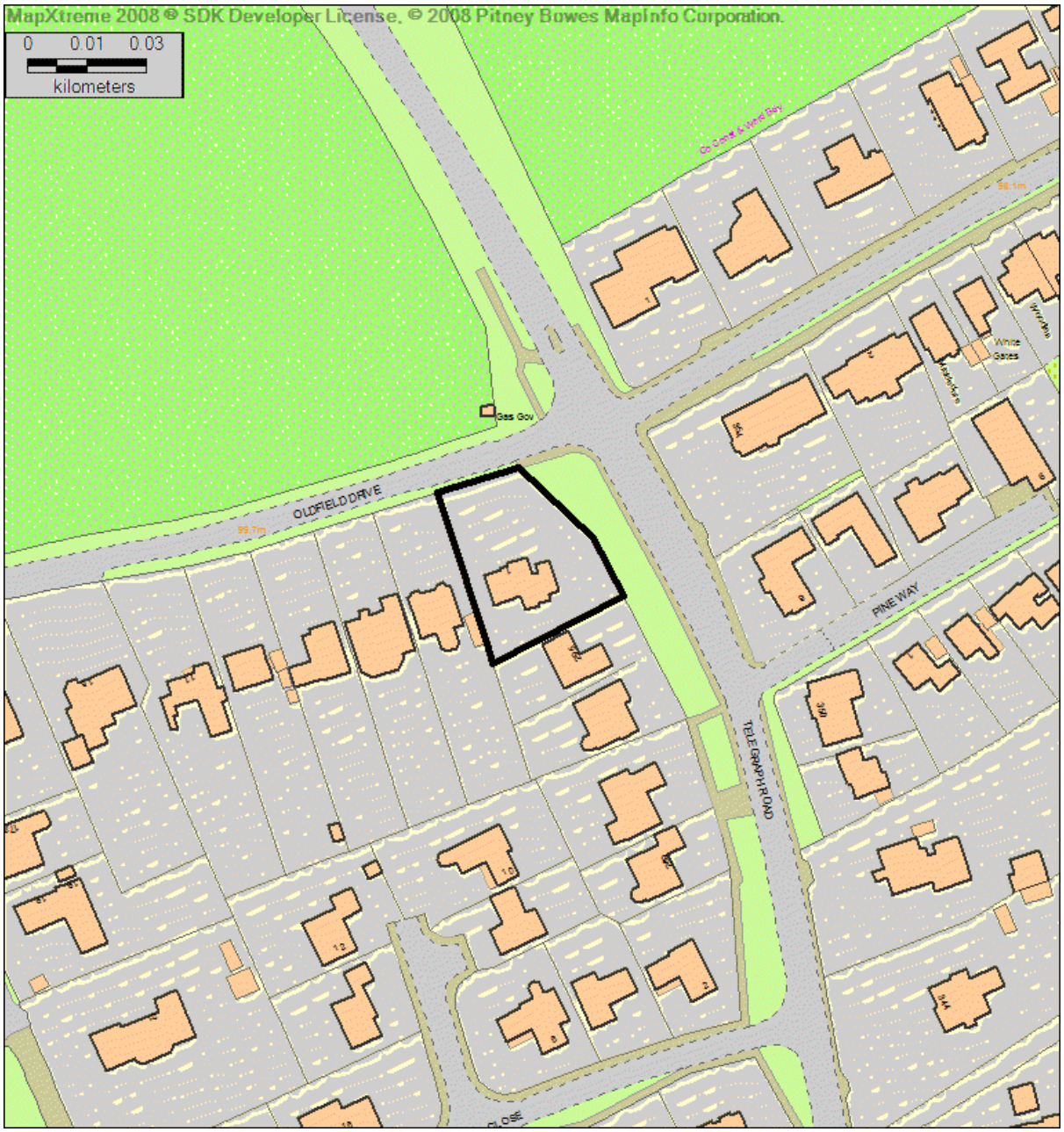
Reference:	Area Team:	Case Officer:	Ward:
APP/19/00167	**Development Management Team**	**Mr B Bechka**	**Heswall**

Location: 1 OLDFIELD DRIVE, HESWALL, CH60 6SS
Proposal: Erection of a three-storey apartment block comprising of 4 no. two bedroom and 1 no. three bedroom apartments, following demolition of existing dwellinghouse (amended).

Applicant: Mr COLLINS
Agent : Bryson Architecture

Qualifying Petition: Yes, Number of Signatures: 128

Site Plan:



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Development Plan designation:
Primarily Residential Area

Planning History:

Location:	1 Oldfield Drive, Heswall, Wirral, CH60 6SS
Application Type:	Full Planning Permission
Proposal:	Convert garage to bedroom and erection of a front extension
Application No:	APP/08/06398
Decision Date:	30/09/2008
Decision Type:	Approve

Location:	1, Oldfield Drive, Heswall. L60 6SS
Application Type:	Outline Planning Permission
Proposal:	Erection of a bungalow, (outline).
Application No:	OUT/96/06089
Decision Date:	13/09/1996
Decision Type:	Refuse

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

1.1 No comments received.

2.0 SUMMARY OF REPRESENTATIONS

A total of 14 consultation letters were sent out to neighbouring properties. In addition a site notice was posted.

REPRESENTATIONS

A signed petition of 128 signatures was received. A summary of these representations are listed below:

1. the proposed location does not meet the requirements for self contained flats set down in Wirral's SPD 2 para 3.1;
2. scale of the proposed building would not relate well to surrounding property (UDP HS4(i));
3. would result in a detrimental change in the character of the area (HS4(ii)); and
4. on edge outside Greenbelt land and Area of Special Landscape Value

11 no. objections were received. A summary of these representations are listed below:

1. not in keeping with scale character, form and density of surrounding development which is two-storey single dwellings(contrary to UPD HS4(i) and SPD2 paras 5.2 and 5.3)
2. insufficient off-road parking would impact on local highway network and proximity to junction with Telegraph Road would pose threat to other vehicles and pedestrians (contrary to SPD4)
3. scale, massing and height of proposal would dominate adjacent dwellings and appear visually overbearing within the streetscene
4. over-development of site
5. damage visual amenities of adjacent Greenbelt land (contrary to UDP Policy GB2)
6. given ridge height and proximity closer to boundary will appear overbearing to neighbouring properties and their rear garden areas
7. overlooking and loss of privacy to garden areas of neighbouring properties
8. no outlook to bedroom 2 in second floor (contrary to SPD2 para 5.16)
9. streetscene elevation inaccurate
10. discrepancy to rear (south) elevation drawing and floor plans
11. no public transport or services nearby (contrary to SP2 section 3)

CONSULTATIONS

Heswall Society - Objects to proposal on the following grounds:

1. development would lead to erosion of residential area - loss of landscaped gardens, over development, impact of traffic and loss of local heritage;

2. imbalance in apartment developments coming forward in place of individual dwellings and that the proposed development would not be located close to services and facilities that are genuinely accessible by a choice of means of transport and therefore contrary to the guidance of SPD2 ;

3. that the density of the development would amount to 54 dwellings per Ha if scaled up;

4. quality of accommodation is unacceptable given size and proportion of accommodation provided , ability to accommodate disabled access, lack of outlook from obscure glazed window to bedroom 2 in second floor;

5. given prominent location at gateway to Heswall from Greenbelt land and Area of Special Landscape Value would by reason of its scale, height and massing not appear appropriate within this context, instead being harmful to character of local area;

6. and quality of materials not being suitable or appropriate against surrounding development.

Highways - No objections

Environmental Health - No objections

Merseyside Fire and Rescue Service - No objections

United Utilities - No objections

3.1 Reason for referral to Planning Committee

3.1.1 A signed petition with 128 signatures and 11 individual objections, referring to material planning considerations were received. Under the Council's 'Scheme of Delegation to Officers for the Determination of Planning Applications and Planning Related Matters' it requires that when the number of signatories on the petition equals 25 or above and/or 15 for the number of individual objections, that the application be referred to the Planning Committee.

3.1.2 Consideration of this application was deferred at Planning Committee on 30 May 2019 to allow for a Members Site Visit to take place.

3.2 Site and Surroundings

3.2.1 The application site relates to a large plot sited to the southern side of Oldfield Drive and to the corner of Telegraph Road. The plot currently houses a detached bungalow which is set back far from the road towards its southern end. Sitting immediately outside and facing onto an open area of Greenbelt land to its north, the application site is located within a primarily residential area within Heswall. The neighbouring properties vary in scale, age and appearance, however, the majority are two-storey in height. Its boundary fronting Telegraph Road comprises a low lying sandstone wall with timber panel fencing above, whilst to Oldfield Drive the low lying sandstone boundary wall has hedging above. Its boundaries to No. 3 Oldfield Drive and No. 295 Telegraph Road are formed by timber panel fencing. A number of trees line the boundaries to No. 3 Oldfield Drive and to Telegraph Road. Access to the application site is via a driveway off Oldfield Drive.

3.3 Proposed Development

3.3.1 Planning permission is sought for the erection of a three-storey apartment block for 5 no. apartments comprising 4 no. two bed apartments and 1 no. three bed apartment. The proposal will have a traditional appearance with its gabled roof design and use of materials comprising smooth render, brickwork, Marley Modern smooth grey roof tiles and uPVC openings. A hardsurfaced car parking area is proposed to the front of the new apartment block, whilst to the remainder of the application site soft and hard landscaping works are proposed.

3.3.2 Added Value

At the request of the case officer the applicant has lowered the ridge of the proposed apartment block by approximately 0.4m. The eaves have also been dropped by approximately 1.9m. The footprint of the apartment block has been reduced, resulting in an approximately 0.8m reduction in its depth and an approximately 1.4m reduction in it width. The applicant has also reduced the number of proposed units by one and as such a total of five apartments are proposed. In response to comments from Highways the parking layout has been changed to accommodate a total number of 10. no off-road parking spaces, whilst the vehicular entrance has been widened.

3.4 Development Plan

3.4.1 Policy HS4 - Criteria for New Housing Development
Policy TR9 - Requirements for Off Street Parking
Policy GR5 - Landscaping and New Development

3.5 Other Material Planning Considerations

3.5.1 Supplementary Planning Documents (SPD):

SPD4 (Parking Standards)

SPD2 (Designing for Self Contained Flat Development and Conversions)

3.5.2 Joint Waste Local Plan:

Policy WM9 - Sustainable Waste Management Design and Layout for New Development

3.5.3 DCLG published the National Planning Policy Framework (NPPF) in February 2019. The NPPF will be referred to as appropriate within this report.

3.6 Assessment

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development
- Design;
- Highways;
- Ecology; and
- Amenity

3.7 Principle of Development:

3.7.1 With the application site being located within a Primarily Residential Area, the development will therefore be assessed against Policy HS4 of Wirral's Unitary Development Plan, which states that new housing development within 'Primarily Residential Areas' will be permitted subject to the proposal fulfilling all the criteria listed for that policy.

3.7.2 Whilst the principle of the proposed development is considered acceptable, this is subject to the proposed development's impact on visual and residential amenity and to the local highway network.

3.8 Design:

3.8.1 The National Planning Policy Framework (NPPF) make it clear that good design is a key aspect of sustainable development and the creation of high quality buildings and places is fundamental to what the planning process should achieve. NPPF paragraph 127 states that planning policies and decisions should ensure that developments are visually attractive, be sympathetic to local character and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.8.2 NPPF paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of

an area and the way it functions.

3.8.3 NPPF paragraph 131 states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

3.8.4 Policy HS4 of Wirral's UDP requires that the proposal must relate well to adjacent properties and should not result in a detrimental change in the area or to the amenity of neighbouring properties.

3.8.5 Representations have been made objecting to the scale, form and density of the proposed three-storey apartment block and that it wouldn't relate well to the surrounding development, with the surrounding development comprising primarily two-storey single occupancy dwellings. It would therefore result in a detrimental change to the character of the area and would fail to meet criteria (i) and (ii) of Policy HS4 of Wirral's UDP.

3.8.6 The proposal has been revised by the applicant throughout the planning process to take on board comments made by both the case officer, neighbours and consultees.

3.8.7 As a result of these revisions, which will be discussed in greater detail below, only five apartments are now being proposed. Although the immediate area surrounding the application site comprises two-storey dwellinghouses, situated to its south along Telegraph Road are examples of similar developments to that being proposed. A three-storey 6 bed apartment block to No. 277 Telegraph Road (APP/18/016327) has recently been granted planning permission, whilst there is an existing three storey 5 bed apartment block to No. 271 Telegraph Road, which was approved under planning permission APP/14/01024. As such, it is considered that the density of the proposed scheme for 5 no. apartments is appropriate for this location, relating well to that of the surrounding development.

3.8.8 The ridge of the proposed apartment block has been lowered by approximately 0.4m to approximately 8.8m in height, whilst the eaves have been dropped by approximately 1.9m in height, resulting in a much steeper roof and allowing for the second floor accommodation to be housed within the roofspace. The proposed above revisions, including the introduction of a dormer window and the use of a mix of materials to its elevations now gives the property the appearance of being two and a half-storey in scale, in keeping with the scale and form of the surrounding development. Furthermore, with the introduction of gable features to its east and western elevations, it's roof form now appears more uniform.

3.8.9 Given its prominent corner location at the junction with Telegraph Road, an 'A' Class road, the ridge line of the proposal, which would sit approximately 1.8m above that of adjacent property No. 295 Telegraph Road, is considered both appropriate and acceptable. Furthermore, its ridge line would sit no higher than that of the corner property No. 354, sited to the opposite side of Telegraph Road at the junction with Mere Lane. To its west the ridge line of the proposal would sit only approximately 0.2m above that of No. 3 Oldfield Drive. The ridge line of the proposed development is therefore considered to respectful of the surrounding development and to the streetscene.

3.8.10 The scale and massing of the proposal has been further reduced, with the footprint of the apartment block having been reduced by approximately 0.8m in depth and approximately 1.4m in width. Although still approximately 70 sqm greater in its footprint than that of the existing bungalow it would replace, this increase is considered not so significant an increase, given the proposal's siting within a generously sized plot, retaining ample space to its front, sides and rear.

3.8.11 With regard to the apartment block's positioning within the application site and within the wider streetscene, its side sitting closest to No. 3 Oldfield Drive would only sit forward 0.6m of the existing building line to Oldfield Road, increasing to 2.6m towards Telegraph Road, as the apartment block steps forward. It should, however, be noted that despite this, a generous separation distance of approximately 19m would be achieved between the proposed apartment block to the back of the pavement to Oldfield Drive. A minimum gap of approximately 8.8m would be achieved between the side of the proposed apartment block and the back of the pavement to Telegraph Road, this gap increasing in depth to

approximately 13.8m as the development moves rearwards to the southern end of the application site.

3.8.12 Being a corner property, it is considered that the proposed apartment block would retain sufficient enough a gap to the back of the pavement to Telegraph Road. Whilst sitting forward of the existing building line to Oldfield Drive and having an increased scale and massing compared to that of the bungalow, given the distance it would be set back from the back of the pavement to Oldfield Drive, it is considered that the proposed development would not appear overly prominent within or to negatively impact on the sense of spaciousness within the streetscene.

3.8.13 It is unlikely therefore that the proposal would result in the site appearing overdeveloped or cramped or a significant departure from the scale and form of surrounding development.

3.8.14 The above demonstrates that the proposed development has taken into consideration both the character of the area and its relationship to neighbouring properties and the streetscene in terms of its position, design, scale, massing and height, therefore complying with the guidance of Section 5 of SPD2 (Designing for Self Contained Flat Development and Conversions). In this respect the proposed development is also considered to meet criteria (i) and (ii) of Policy HS4 of Wirral's UDP.

3.8.15 Its considered that the gabled roof design of the proposal would be in keeping with surrounding pattern of the development. The materials would be a mix of traditional, comprising brickwork at ground floor level, smooth render at first floor level, Marley Modern smooth grey roof tiles to the roof/second floor and white uPVC openings. Overall, they are considered to complement the streetscene. Nevertheless, it is recommended that as part of any permission a condition be attached requiring details of materials be submitted.

3.8.16 Objections were received with regard to the harmful impact the proposed development would have on the adjoining Greenbelt and Area of Special Landscape Value to the north of the application site, contrary to Policies GB2 and LA1 of Wirral's UDP. Whilst the area of land sited immediately to the north of the application site is designated as both Greenbelt land and an Area of Special Landscape Value within Wirral's UDP, the application site itself is located outside this area. Instead it is located to the edge of an established built up residential area fronting onto the Greenbelt land. Given that the proposal would be built using traditional materials in keeping with surrounding development; would not sit significantly forward of the building line to Oldfield Drive, retaining a generous distance to the back of the pavement; and would not rise significantly above the ridge line of these properties, it is considered that the proposed development would be no more harmful to the visual amenities of the Greenbelt or to detract from the appearance of the Area of Special Landscape Value, than is currently the case with the existing properties along Oldfield Drive.

3.7.17 It is the considered opinion of the case officer that the proposed development seeks to reflect the character of the surrounding area in terms of its design, materials and scale and streetscene, and as such is in accordance with Policy HS4 of Wirral's UDP.

3.8.18 Quality of Accommodation

Following the loss of one of the apartments to the second floor level, the proposed accommodation would benefit from sufficient outlook from and light into the property, whilst there would be an acceptable amount of outside amenity space to the rear and sides of the apartment block. The remaining accommodation of the apartments is considered to be of an acceptable size.

3.9 Highways:

3.9.1 A number of objections have been received relating to the impact the proposed development would have on the highway network, given the proximity of the vehicular entrance to the junction with Telegraph Road and there being insufficient off-road parking provision for the residents and visitors of the new development . The overspill onto Oldfield Road at the junction with Telegraph and the coming and going of the vehicles to and from the development would present a hazard.

3.9.2 Access

The widened 4.5m access meets the requirements of the Council's guidelines for private driveways, thus allowing two vehicles to safely pass when entering or exiting the development.

Servicing

An enclosed bin store with 1.8m high close boarded fencing and located to western side of the apartment block is proposed. It is recommended that a condition be attached requiring that this bin store be in-situ prior to first occupation of the development.

Visibility

The existing vegetation along the frontage is to be removed which improves sightlines for vehicles emerging from the development thus improving highway safety for not only vehicle users, but for pedestrians, equestrians and cyclists who frequently use this route.

Cycle Parking

A cycle store for 5 no bicycles as shown on the submitted 'Proposed Site Plan' is to provided which in accordance with Policy TR12 of Wirral's UDP. It is recommended that a condition be attached requiring that this cycle store be in-situ prior to first occupation of the development.

Car Parking

A total of 10 no. off-road parking spaces would be provided for the 5 no. apartments comprising 1 no. three bedroom and 4 no. two bedroom apartments. This complies with the requirement of the Council's SPD4 (Parking Standards) which states that an average of 1.5 spaces for 2 bedroom houses and two spaces for houses with three of more bedrooms. To mitigate any overspill parking issues onto Oldfield Drive and provide sufficient parking for residents and visitors, this requirement has been increased to two spaces per apartment.

3.9.3 Highways are therefore satisfied and raise no objection to the scheme

3.9.4 A number of objections received voice concern that the proposed development not being close to service and facilities or genuinely accessible by a choice of means and transport. Section 3 of SPD2 only requires that high density development be located in areas where residents have the choice of walking to a range of local services. The proposed development for 5 no. apartments does not qualify as high density of development. Whilst it may not be within a 400m safe walking distance of a bus stop, the proposed scheme is providing a sufficient number of vehicle and cycle parking spaces for its future occupants. Their situation with regard to proximity to public transport and local services would be no worse than is currently experienced by neighbouring residents.

3.9.5 As such, it is considered that the proposed development would not have an impact on the surrounding Highways network or their access to services and facilities.

3.10 Ecology/ Landscaping:

3.10.1 There are no environmental or sustainability issues relating to these proposals.

3.11 Amenity:

3.11.1 Whilst the footprint, height and mass of the new apartment block would exceed the bungalow it would replace, given its design, footprint and two and a half-storey scale appearance it is considered not to result in an overbearing or over dominant impact to neighbouring amenity.

3.11.2 No. 3 has a habitable window at ground floor level in its side elevation facing on to the application site. The habitable windows in the west facing side elevation of the proposed development sitting forward of the habitable window to No. 3, would not directly face onto No. 3's habitable window and as such would not result in any overlooking or loss of privacy to its occupants. Not extending beyond the rear elevation of No.3's property and a separation gap of approximately 8.5m being achieved between the two properties, would ensure that the proposed development did not appear overbearing to No. 3's property or its rear garden area. Furthermore, No. 3 has an existing detached garage sitting flush against its shared side boundary with the application site.

3.11.3 Although the proposed development would be greater in height and sit closer to the boundary with No. 295 Telegraph Road than is currently the case with the existing bungalow, a large

section of the proposal would face onto the blank north facing two-storey gable end of neighbouring No. 295, retaining a minimum separation distances of approximately 7.6m and 8.6m to the shared boundary.

3.11.4 The rear gable end of the proposed apartment block would step further towards its shared boundary with No. 295, however, given it splays away from the shared boundary, it would achieve a minimum separation distance of approximately 6.7m to this boundary, increasing to approximately 8m to the rear. Given the above separation distances, it is considered that the approximately 7.5m distance the proposal would project to the rear of No. 295's property is acceptable and that it would not result in any significant overbearing impact or loss of light to No. 295's property or rear garden area. The orientation and siting of the proposed apartment block to the north of No. 295, would ensure no overshadowing of No. 295's rear garden area.

3.11.5 No habitable openings are proposed to the south facing rear elevation of the proposal. However, to ensure no overlooking onto No. 295's rear garden area, a condition is recommended requiring any first floor openings in this elevation to be obscure glazed.

3.11.6 No. 354 Telegraph Road is located to the opposite corner of Telegraph Road and Mere Lane. There would be no habitable windows within the east facing side elevation of the proposal which would directly face onto No. 354's property, retaining a minimum separation distance of approximately 50m to No. 354's property and approximately 35m to its garden area. As such, there would be no adverse overlooking or loss of privacy to these areas as a result of the proposed development**.**

3.11.7 The proposed development would not unduly or significantly impact on the residential amenity of neighbouring properties above what they could reasonably expect to enjoy and is therefore considered to comply with Policy HS4 of Wirral's UDP and Section 5 of Wirral's guidance document SPD2 (Designing for Self Contained Flat Development and Conversions).

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed development will not harm the appearance or character of the area or the amenities of neighbouring properties and the proposal is therefore considered to comply with Policies HS4, GR5, and TR9 of the Wirral Unitary Development Plan, Supplementary Planning Documents SPD2 and SPD4 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 4th February 2019 and listed as follows:

   2019 013 001/02, received 4th February 2019;
   2019 013 002/05, received 29th March 2019;
   2019 013 003/05, received 12th March 2019; and
   2019 013 004/08, received 2nd May 2019.

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

3. Prior to any above ground works taking place, samples of the materials (roof tiles, brickwork, render and openings) 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. Prior to first occupation of the hereby approved development, the cycle store as shown on submitted drawing no: 2019 013 002/05 shall be provided and made available for use 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.

5. Prior to first occupation of the development hereby approved, the parking layout for the provision of 10 no. cars shall be implemented in accordance with the approved details as shown on drawing 2019 013 002/05. It shall be maintained thereafter to the satisfaction of the Local Planning Authority.

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

6. Prior to first occupation of the hereby approved development, the bin store as shown on submitted drawing no: 2019 013 002/05 shall be provided made available for use and shall be retained for use at all times thereafter.

   Reason: To accord to with Policy WM9 in the Joint Waste Local Plan and ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

7. The first floor windows on the rear (south) elevation adjacent to 295 Telegraph Road shall be obscurely glazed and non-opening, up to a height of 1.7m above the internal floor level. This shall be installed prior to the first occupation of the flats hereby approved, and retained as such thereafter.

   Reason : In the interests of residential amenity

8. 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: To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

Further Notes for Committee:

1. Merseyside Fire and Rescue Services ask that:

   - Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations.

   - Water supplies for fire fighting purposes should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

   - The premises should comply with Section 55 of the County of Merseyside Act 1980

2. Drainage Comments:

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the applicant to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

Last Comments By: 25/04/2019
Expiry Date: 01/04/2019