

## Planning Committee

12 November 2020

**Reference:**  
**APP/20/00980**

**Area Team:**  
**Development  
Management Team**

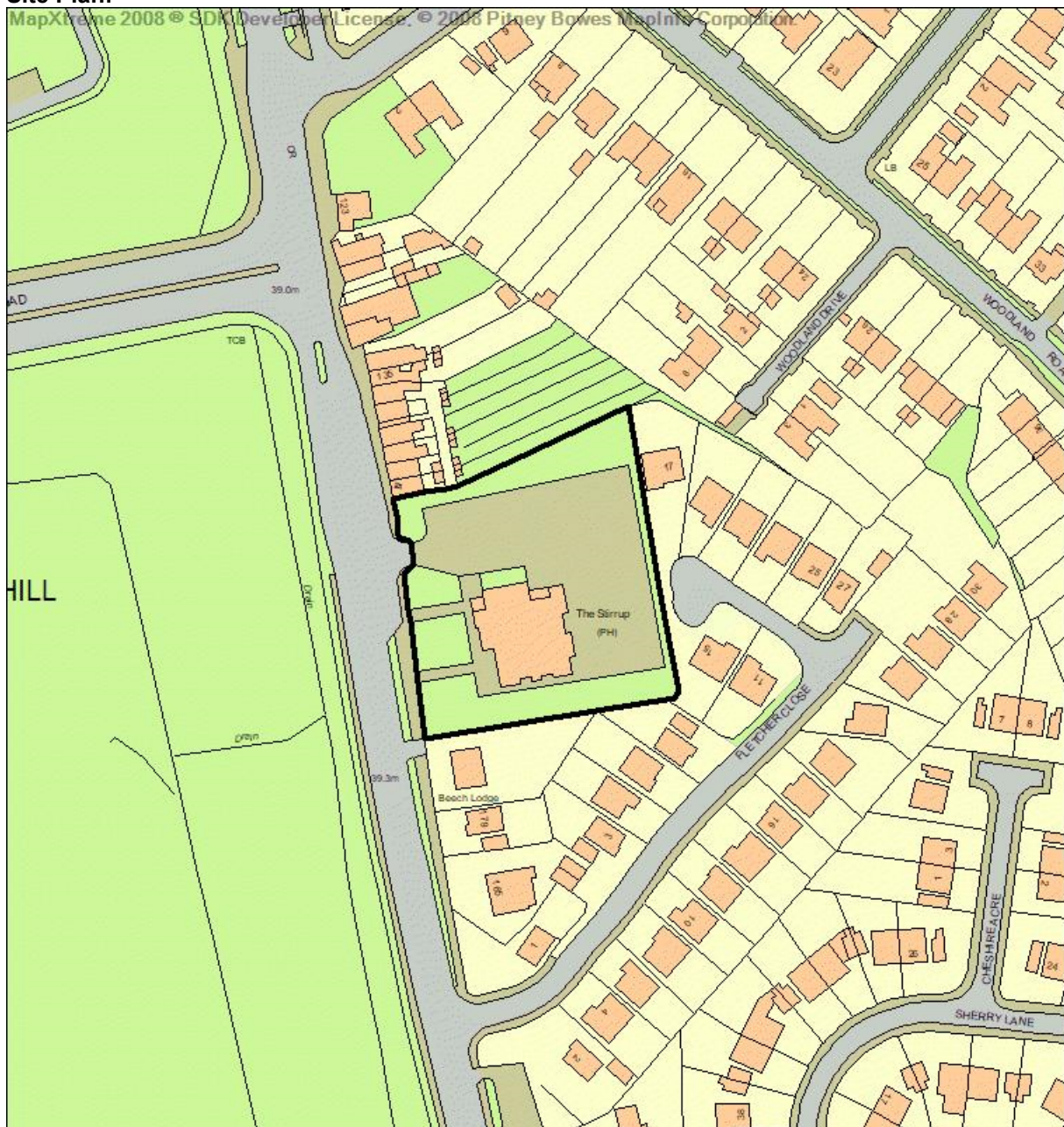
**Case Officer:**  
**Mr N Williams**

**Ward:**  
**Upton**

**Location:** The Stirrup, ARROWE PARK ROAD, WOODCHURCH, CH49 5PB  
**Proposal:** Construction of new apartment building for retirement living/extra care, comprising of 46 no. flats with associated facilities  
**Applicant:** Magenta Living  
**Agent:** Paddock Johnson Partnership

**Qualifying Petition:** No

### Site Plan:



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**Development Plan designation:**

Primarily Residential Area

**Relevant Planning History:**

Location: The Stirrup, ARROWE PARK ROAD, WOODCHURCH, CH49 5PB  
Application Type: Full Planning Permission  
Proposal: Demolition of existing public house and erection of 15 dwellings with associated parking and landscaping  
Application No: APP/19/00063  
Decision Date: 07/07/2020  
Decision Type: Approve

**Summary of Representations and Consultations Received:****1.0 WARD MEMBER COMMENTS**

1.1 No comments received

**2.0 SUMMARY OF REPRESENTATIONS****2.1 REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications, 13 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been 22 objections received. The objection can be summarised as:

1. Insufficient parking;
2. Increased traffic;
3. Out of scale and character;
4. Overlooking and loss of privacy;
5. Loss of view;
6. Loss of light;
7. Potential drainage issues.

**2.2 CONSULTATIONS**

**Highways** - No objection, subject to condition (see comments below)

**Environmental Health** - No objection

**Housing Strategy** - No objection

**Lead Local Flood Authority** - No objection, subject to conditions

**3.1 Site and Surroundings**

3.1.1 The site is now vacant but until recently contained The Stirrup public house. The site fronts onto Arrowse Park Road (A551) to the west and is otherwise surrounded by two-storey residential properties. The site is designated in the Wirral Unitary Development Plan as a Primarily Residential Area.

**3.2 Proposed Development**

3.2.1 The application proposes the construction of a new apartment building for retirement living/extra care, comprising of 46 no. flats with associated facilities.

3.2.2 The building will be predominantly three-storey, with a rear section being two-storey. The building will have a flat-roof and will front onto Arrowse Park Road with parking provided to the south of the site, with amenity space to the north.

**3.3 Development Plan**

3.3.1 The proposed development would be primarily subject to Wirral Unitary Development Plan Policy HS4: Criteria for New Housing Development. Policy GR5: Landscaping and New

Development is also particularly relevant.

- 3.3.2 Supplementary Planning Documents 2: Designing for Self-Contained Flat Developments and Conversions and 4: Parking Standards are also considered to be relevant.

### **3.4 Other Material Planning Considerations**

- 3.4.1 The National Planning Policy Framework is also relevant, and in particular encourages making effective use of previously developed land.

### **3.5 Assessment**

- 3.5.1 The main issues pertinent in the assessment of the proposal are;

- Principle of Development;
- Design, Scale and Layout;
- Residential Amenity;
- Highways; and
- Amenity

### **3.6 Principle of Development:**

- 3.6.1 The site is designated as part of a Primarily Residential Area in the Wirral Unitary Development Plan, where the proposed development is acceptable principle subject to fulfilling all the criteria in UDP Policy HS4.

### **3.7 Design, Scale and Layout:**

- 3.7.1 Whilst the scale of the building is larger than properties either side, it is not considered to be excessively so, with the flat-roof design helping to minimise the overall height and general scale of the building. The site fronts onto the busy Arrowe Park Road (A551) and a building of this scale is therefore considered suitable in such a location. The site is within an established residential area and a sustainable location close to local services. The NPPF advocates developments making effective use of land in meeting the need for homes and gives substantial weight to the value of using suitable brownfield land whilst safeguarding the environment and ensuring safe and healthy living conditions. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. This scheme will provide 46 units which will make an important contribution to housing need across the Borough and is considered to make good use of this brownfield site.

- 3.7.2 The proposed building will incorporate three predominant materials, with the bulk of the building being buff brickwork. There will also be elements of render included - notably to either end of the main/front elevation, so that it reflects the existing rendered properties either side of the site, and this also helps to break up the wide front elevation. The upper floor on the front elevation will be finished in a grey-coloured cladding, which is designed to depict a traditional roofscape. This, together with the flat-roof design, will partly give the impression that the building is only two-storeys and will therefore help to minimise the bulk and scale of the building.

- 3.7.3 The main design features of the building will be the large window openings and vertical stack-bonded feature panels. These features, together with the range in materials, should result in a development which has sufficient design interest and make a positive contribution to the character of the area.

### **3.8 Residential Amenity:**

- 3.8.1 The proposed residential development will be more in keeping with the surrounding area than the previous, non-conforming use of the site for a public house. In principle, it is therefore considered that the development should have less impact on the amenities of surrounding properties.

- 3.8.2 There will be a distance of almost 4 metres between the main/front part of the proposed

building and the dwelling directly to the north, 147 Arrowe Park Road. There are no windows in the side elevation of the proposed building in this location. Although this part of the proposed building projects further back than 147 Arrowe Park Road, the distance between the two is sufficient to ensure that the proposed building will not have an overbearing impact on this existing property. The proposal complies with the 45-degree rule, ensuring windows in the rear of 147 Arrowe Park Road will not be unacceptably impacted upon.

- 3.8.3 The distance of the main northern elevation of the proposed building to the boundary with 147 Arrowe Park Road will range from approximately 11 metres to 16 metres. Although there are habitable windows along this elevation, the distance from the boundary is considered to be sufficient to prevent any unacceptable levels of overlooking into the neighbouring property.
- 3.8.4 The proposed two-storey element to the rear also has a bedroom window and secondary kitchen window in the northern elevation facing towards 145/147 Arrowe Park Road but this is at a distance of approximately 13 metres, and looks towards the end part of the long garden area at these neighbouring properties. This distance is also considered sufficient to ensure no unacceptable levels of overlooking.
- 3.8.5 The proposed building will be set off the southern boundary by approximately 10 metres, at its nearest point, with only secondary windows sited on this elevation which look over the new vehicular access into the site. It is therefore not considered that the proposal would have an unacceptable adverse impact on the property directly to the south of the site.
- 3.8.6 To the rear (east) of the site is the residential cul-de-sac of Fletcher Close, with the head of the cul-de-sac directly adjoining the rear of the application site. The smaller, two-storey element of the proposed building will be set off this rear boundary by approximately 12 metres. The windows in the rear elevation will look towards the head of the cul-de-sac as well as the front garden and driveway of 15 and 17 Fletcher Close. The distance of these windows from the boundary is considered to be acceptable given that they do not overlook any private garden areas.
- 3.8.7 The flat-roof design of the proposed building minimises its overall height and the distances between the proposed building and surrounding properties meet required separation distances and are considered sufficient to ensure that it does not have an unacceptable adverse impact upon the amenities of these existing properties. The presence of a building larger in scale than the existing properties is not considered sufficient reason to warrant refusal of the application, especially given the attempt to minimise the overall height and scale through the use of a flat roof design. As noted above, the use of the site for residential purposes is likely to have less impact on neighbouring properties than its previously established use as a public house.
- 3.8.8 The bin store had originally been located adjacent to the boundary with the rear garden of 15 Fletcher Close, however, due to objections raised the applicant agreed to relocate this so it is positioned further into the site and not adjacent any private amenity areas of neighbouring properties.
- 3.8.9 For future occupiers of the development, all habitable rooms will have full windows with sufficient outlook, whilst there is a large amenity area provided to the north (and east) of the proposed building, together with a terraced courtyard area to the south of the building. It is therefore considered that the proposal will provide acceptable living standards for future occupiers.
- 3.9 Highways:
- 3.9.1 The development provides 25 car parking spaces, including 3 access spaces, for the 46 apartments. This level of in-curtilage car parking is considered acceptable due to the low trip rates associated with extra care and retirement homes and the fact that these types of development do not normally generate high demands for parking. The development includes charging facilities for electric mobility scooters and the provision of 15 spaces for

the parking of these types of vehicle securely within the building, which is also considered to reduce further any reliance on private cars.

- 3.9.2 There is sufficient space within the car park curtilage for taxi or minibus drop off and pick up and satisfactory turning provision for refuse and servicing vehicles so that they are able to enter and leave the car park in a forward gear.
- 3.9.3 The proposed vehicle access will be relocated from its original position within the adjacent bus stop layby on Arrowe Park Road. The new access location will require the existing bus shelter to be repositioned so that it does not impact on the visibility splay of the new access. The bus shelter is therefore required to be moved back against the back of footway and the boundary to the development, which would leave sufficient space for egressing vehicles to see past the shelter. There is an existing street lighting column which is also in conflict with the access proposals and will therefore also require relocating. This is controlled via a suitably worded condition.
- 3.9.4 The development is considered to be well served by public transport given that there are nearby bus stops, and it is also within walking distance of shops and other businesses. The existing junction at Arrowe Park Road / Arrowe Brook Road which forms part of the walking route to these facilities lacks pedestrian crossing facilities, however, there are proposals to upgrade this junction with contributions from a nearby residential development currently underway, and the works to bring this junction up to current standard is programmed to be on-site later this year. To ensure the development provides fully accessible routes to the shops and level boarding and alighting facilities at the nearby bus stops, the applicant has agreed to provide raised access kerbs to the two nearest bus stops to the development on Arrowe Park Road, and to install dropped kerbs and tactile paving to the Arrowe Park Road / Woodland Road junction which would form part of the accessible route to the shops. This is also controlled by a condition.
- 3.10 Other Matters:
- 3.10.1 The applicant has submitted a Flood Risk Assessment and Drainage Strategy which has been considered acceptable by the Lead Local Flood Authority, subject to the attached conditions.
- 3.10.2 The applicant is a Housing Association, and an Affordable Housing Statement has been submitted to set out how the development will be occupied. This is considered sufficient to ensure sufficient affordable housing provision is provided and is controlled via condition.

#### **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 to constitute sustainable development which makes effective use of an existing brownfield site. The proposed development will not harm the amenities of neighbouring properties or the overall character of the area and is therefore considered to comply with the policies set out in the Wirral Unitary 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 July 2020 and listed as follows: 19006-01; 19006-103-A; 19006-104; 19006-105; 19006-106-B; 19006-107; 19006-108 and the amended plan received on 14th October 2020 and listed as: 19006-110-D.

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

3. Before any construction above ground level 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. Prior to any construction above ground level, a full scheme of works for highway works shall be submitted to and approved in writing by the Local Planning Authority. The highway works shall include details of the new vehicle access, reinstatement to standard footway levels of the redundant vehicle access, the relocation of the existing bus shelter (so as to not impinge on vehicle visibility when exiting the site), the provision of dropped kerbs with tactile paving at the Woodland Road junction, and the provision of accessible kerbs at the two bus stops nearest the site. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme.

**Reason:** In the interests of highway safety and to improve links to local services, having regards to the National Planning Policy Framework

5. The development shall be occupied only in accordance with the submitted Affordable Housing Statement (Magenta Living) unless otherwise agreed in writing by the Local Planning Authority

**Reason:** For the avoidance of doubt and to ensure sufficient affordable housing provision having regards to the National Planning Policy Framework

6. Prior to first occupation, a full scheme for hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation 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

7. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the following submitted documents approved in writing by the Local Planning Authority, in conjunction with the Lead Local Flood Authority:

- Flood Risk Assessment for Land off Arrowe Park Road, Birkenhead, CH49 5PB dated August 2020 / CCG-C-20-11762 rev 1 / produced by CC Geotechnical Ltd • Proposed Drainage Layout, The Stirrup, Arrowe Park Road, CH49 5PB / 102/20/D100 rev C dated 12 October 2020 / produced by Stephen Johnson Ltd;
- A Construction Phase Surface Water Management Plan and a timetable for completion (including details of any phasing if applicable) must be submitted prior to commencement.

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 163 and 165 of the National Planning Policy



Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

8. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable 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. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 163 and 165 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems

9. PRIOR TO FIRST OCCUPATION of the dwellings hereby approved arrangements for the storage and disposal of refuse including recycling facilities, 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.

#### **Further Notes for Committee:**

1. Consent under the Highways Act is required for the construction of a new vehicle access or the amendment/removal of an existing vehicular access. Proposed vehicle access to be constructed in accordance with LPA commercial concrete crossing specifications. 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 Highway Management team area manager via [www.wirral.gov.uk](http://www.wirral.gov.uk) prior to the commencement of the works for the approval of the proposed details.

**Last Comments By:** 31/08/2020  
**Expiry Date:** 23/10/2020