
ITEM	OUT/2007/6066	WARD Birkenhead and Tranmere
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Location: Land bounded by Church Road/Whetstone Lane junction to north and Hampden Road to south, consisting of sites east and west of Church Road Tranmere Wirral CH42 5LD

Proposal: Erection of 100no. dwellings, 55no. self-contained apartments and 9no. A1 retail units (Outline)

Applicant: Lovell
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Cheshire
WA14 5DL

Agent: DK-Architects
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Development Plan allocation and policies: National Policies

PPS1: Delivering Sustainable Development
PPS3: Housing
PPS22: Renewable Energy
PPG13: Transport

Regional Policies

RSS Policy DP1: Economy in the Use of Land and Buildings
RSS Policy DP2: Enhancing the Quality of Life
RSS Policy DP3: Quality in New Development
RSS Policy UR1: Urban Renaissance
RSS Policy UR4: Setting Targets for the Recycling of Land and Buildings
RSS Policy UR6: Existing Housing Stock and Housing Renewal
RSS Policy UR7: Regional Housing Provision
RSS Policy UR9: Affordable Housing

Local Policies

UDP Policy URN1: Development and Urban Regeneration
UDP Policy HS4: Criteria for New Housing Development
UDP Policy HSG2: Affordable Housing
UDP Policy HS6: Principles of Affordable Housing
UDP Policy HS9: Mobility Housing/Access and Design/Building Regulations Approved
Document M Access to and use of buildings 2004 Edition, Section 6
UDP Policy GR5: Landscaping and New Development
UDP Policy GR6: Greenspace within New Family Housing Development
UDP Policy TRT1: Provision for Public Transport - Para. 15.5
UDP Policy TR9: Requirements for Off-Street Parking
UDP Policy TR10: Cycle Routes
UDP Policy TR11: Provision for Cyclists in Highway and Development Schemes
UDP Policy TR12: Requirements for Cycle Parking
UDP Policy TR13: Requirements for Disabled Access
UDP Policy REN1: Principles for Renewable Energy

Planning History: No relevant planning history.

Representations and consultations received: Representations:

5 site notices were erected and a Press Notice issued. At the time of writing this report 2 objections have been received, listing the following grounds:

· Object to the demolition of the existing houses present.

Merseyside Cycling Campaign Wirral Group: comment that the cycling provision is presently insufficient and fails to comply with SPD2 and SPG42.

English Heritage: do not object to the development but state that a more informed, intelligent approach is required to integrating new development into the existing townscape. They would prefer less demolition than proposed of the existing fabric.

CABE: support the scheme proposed although they would prefer that parking be to the front of dwellings and not in private courtyard areas, whereas, with regard to the retail element proposed the parking would be better suited to the rear of the units proposed instead of to the front.

Merseytravel support the application but wish to make the following general observations:

1. A full travel plan should be implemented.
2. Ease of access should be made available for Merseyside dial-a-ride vehicles.
3. The developer should create good quality walking routes between the development's primary entrance/exits.
4. The developer should provide funding for the relocation and attendant upgrade of the bus facilities in question to countywide best practice standards.

Consultations:

Director of Regeneration - Housing & Environmental Protection Division. No objection subject to the following conditions:

1. A ground contamination survey shall be undertaken, taking into account any potential contaminants from all known previous land uses. Should this survey identify any such contaminants, then a scheme of remediation to render the site suitable for use shall be submitted to the Local Planning Authority for approval prior to such works being undertaken.
2. A statement giving precise details of the nature and extent of any such remediation, together with certification that the site has been made suitable for its intended use, shall be submitted to and approved by the Local Planning Authority before commencing any development of the site.
3. All operatives on site should be made aware of the health and safety implications from any contaminants present on the site prior to commencing work. The survey should address the previous site usage of the garage in Frodsham Street and the commercial units in the Seymour Street area.

Director of Technical Services - Traffic Management Division: no objection subject to a section 106 agreement.

Director of Technical Services - Highway Maintenance: no objection.

Directors comments:

PROPOSAL

The proposed development is an outline application for the erection of 100no. Dwellings, 55no. Self contained apartments and 9no. Class A1 use retail units. Scale, Landscaping and appearance are reserved matters for subsequent approval. However layout and means of access are to be considered for determination now.

PRINCIPLE OF DEVELOPMENT

It is considered that the proposed development has regional and local context. Each is considered in turn. The application is over 150 dwellings in number on land that is owned in part by the Council. Therefore, should committee be minded to approve the application, it will need to be deferred to the Government Office for the North West for final determination.

POLICY CONTEXT

The Regional Spatial Strategy for the North West is part of the development plan for Wirral under the terms of Section 38 of the Planning and Compulsory Purchase Act 2004 and should be used in conjunction with the Unitary Development Plan [UDP] policies where relevant. Section 38 also states that; 'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.'

RSS Policy DP1, in line with PPS3, states that the LPA will be concerned to ensure that: (i) 'Full and effective use is made of land within the urban areas'. In the application context, full and effective use of land has been further clarified by the preparation of a Masterplan for Church Road, which has been subject to lengthy public consultation in accordance with PPS1, and has identified the site for comprehensive clearance and residential redevelopment.

The site is within the North West Metropolitan Area as defined in Policy SD1 of RPG13 (RSS), within which a significant proportion of development and urban renaissance resources are to be focused. This has been given expression by the Government's commitment of Housing Market Renewal Initiative funding with the aim of restructuring housing markets.

Whilst Policy DP1 sets out a sequential approach, including the re-use or conversion of empty buildings, this is qualified by the need to take account of local circumstances and the need for the effective use of existing buildings and infrastructure. In the context of the application proposal, the local circumstances are the inclusion of the site within the HMRI area and the identification of the site through the Masterplan as requiring comprehensive redevelopment.

RSS Policy UR6 echoes the need for an understanding of local housing markets, in order to adopt a concerted and comprehensive approach to influencing housing supply across all tenures and values, in the interests of improving the quality of the Region's housing stock. Policy UR6 specifically lists the HMRI Districts, including Wirral and refers to a comprehensive approach to housing renewal, clearance and urban regeneration. Local Authorities should: 'consider designating substantial local areas for comprehensive regeneration, possibly including demolition and clearance, as part of a broader course of action to regenerate local communities...'

In support of the need expressed in RSS Policy UR1 for the urban renaissance of the HMRI areas within Wirral, a Masterplan has been prepared for the Church Road has been through the Council's decision making process. The Masterplan was endorsed and adopted by Housing and Community Safety Select Committee in May 2005 and is therefore adopted policy and a material consideration when determining planning applications.

The proposal to re-develop Church Road is consistent with the intentions of National and Regional Policy and of the Masterplan to deliver a site for redevelopment to enable the comprehensive housing market restructuring needed in the area.

The Church Road Master Plan has been adopted by the Council and as such can be used as a material consideration in the determination of applications for that area.

The entire site is subject to Policy HS4, criteria for New Housing Development. In line with National and Regional Policy, particularly reflecting policy set out in PPS1 and PPS3; 'good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.'

In the context of Church Road, this is exactly the type of opportunity that is being made available and the developer should be aware that the Council will expect a high quality development that achieves a good mix of housing to reflect the accommodation requirements of specific groups, in particular families and older people. To this end, the Council has worked with the developer, architects, stakeholders, English Heritage and CABI to ensure that throughout the development of the scheme, including public and private places, there is a high level of quality design with a good mix of different types of housing available to different tenures, and that the layout makes efficient and effective use of the land available to deliver these high quality outcomes.

The Council has also commissioned and completed a Housing Needs Assessment. The preliminary results of which will be used to inform the housing needs of existing and new residents in the Borough and therefore assist with the appropriate type of housing provision in the future.

SITE AND SURROUNDINGS

The Church Road site forms the Local Centre to the surrounding area located 1km south of Birkenhead Key Town Centre. The site lies to the north of local centres of Rock Ferry and New Ferry.

It comprises an irregular shaped parcel of land which is approximately 3.35 ha in area and is home predominantly to a number of terraced properties aligned along north to south and east to west streets.

Although not designated as such in the Wirral Unitary Development Plan Church Road contains a local shopping centre in the form of a linear north to south orientated street. The street is fronted by antiquated buildings that are in a poor state of repair and many of which, currently lie vacant.

The site is bounded by the Warrington Street, Seymour Street and Thompson Street to the east and incorporates the buildings along Church Road to the west.

HEALTH ISSUES

There are no health implications with these proposals.

APPEARANCE AND AMENITY

The following section describes how the proposed design incorporates the development principles that have been set out under the Church Road Masterplan.

It is considered that the urban form/design principles employed by the applicant reflect the requirement to provide a development of the highest design quality, which stimulates the senses of its users, provides well enclosed spaces; and is legible, safe and secure.

The urban form of the buildings proposed is positioned in such a way as to define the streets and spaces through establishing strong building lines.

Density mixture

The overall scheme comprises 95 houses 5 bungalows and 55 self-contained apartments, which provides an average density of 40 dwellings per hectare. Such a density is lower than that which exists on the site at present; however, the scheme comprises a high quality open space/public realm framework and conforms to current planning policy guidelines, as well as the existing grain of the area. This density also meets with the requirement for density contained within SPD2.

In terms of the overall mix of residential property types. It is not indicated at this outline stage as to the number of bedrooms and general size of these properties. The intention is through the associated design code retain a certain level of flexibility, allowing a range of house types, property sizes and tenures.

Frontages

The principal functions of the main frontages to the buildings proposed clearly define what is public and what is private and avoid the creation of ambiguous spaces that undermine the character and quality of the public realm.

For streets to be safe, lively, attractive and easy to navigate, it is crucial to orient and concentrate principal building entrances and windows along the public highway. The proposed layout is considered in accordance with these core principles.

Within the Streets and spaces each new residential block of accommodation has direct pedestrian access at street level; roadways have been laid out to give easy access to garage or in curtilage parking.

Scale and Massing

Emphasising spaces, nodal points and vistas, and providing enclosure and character were key design principles which influenced the potential scale and massing of the

proposed development.

At the major Gateway points to the site it was considered appropriate to announce the development, and thus gateway buildings are situated in these key anchor points rising to 4 storeys along these corner locations.

Further, at the retail gateway, looking from the south, the marker buildings would also be 4 storeys in height, as would the corner building enclosing the central urban space.

In addition there has been a requirement to respect the visual impact of this development to its surroundings. The houses proposed will vary between 2 to 3 storeys in height whilst flats would generally be 3 storeys, which is considered bespoke to the area.

Legibility

A key principle governing the design of the HMRI Masterplan was to provide a legible environment which is easy to comprehend by first time users. The proposed development is considered to achieve this key element by providing the following:

- It provides emphasis to the entrance of the site by including gateway buildings which announce the site and what lies beyond.
- The layout of the buildings enables views along Church Road without obstruction.
- The Public Space at the centre of the scheme provides a strong focal point and heart to the development. Open views into the space from the east and southeast and northwest provide strong visual permeability, and the space itself forms an orientating feature.
- The active urban gathering square defines a nodal point gateway.
- It provides a clear hierarchy of routes within the site defined through widths, enclosure and landscaping treatments.

Landscaping Private Space

Private garden space has been provided where possible to the rear of houses at ground level. Balconies have been provided to give an element of private space to apartment blocks. Semi private shared space areas are utilised also at ground floor via the use of courtyards. There is sufficient space available for the provision for both landscaping and boundary treatment.

Amenity

When considering impacts upon privacy and the amenity of neighbouring residents, the development proposed meets with all necessary separation distances employed by the Council. It is therefore considered any other loss of light or overshadowing caused by the proposed development would likely be within acceptable limits.

ENVIRONMENTAL IMPACT ASSESSMENT

As this development is an urban development project greater than 0.5HA, it falls within the scope of Schedule 2 of the EIA Regulations and therefore the Local Planning Authority is required to screen the application to consider whether an Environmental Impact Assessment should be carried out. In this respect the guidance suggests that in addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use or the types of impact are of a markedly different nature or there is a high level of contamination.

It is for the LPA to come to a judgement on whether the proposal is likely to have significant effects. In this case, the main environmental impact is likely to be related to traffic and these should be addressed through the transport assessment. Measures for addressing highway issues are identified later in this report. The Director of Regeneration (Housing and Environmental Protection) has not raised any issues which might need to be addressed in an Environmental Statement. On balance therefore, an EIA is not necessary in this instance.

HIGHWAY IMPLICATIONS

The Director of Technical Services (Traffic Management) comments that this is an outline proposal for the demolition of a number of existing residential and commercial properties adjacent to Church Road (between Marquis Street and Hampden Grove) and their replacement with 55 apartments and 9 commercial units. In addition, some amendments to the local highway network are proposed, most notably the closure of Seymour Street at its junction with Church Road, the extension of Warrington Street to form a link between Seymour Street and Thompson Street and the closure of Marquis Street between Warrington Street and Church Road. A small shopping area to the south of the site is proposed, with 9 shops units and parking for 15 vehicles accessed from Church Road. Servicing for these shops would be via a separate gated entrance from Church Road.

The applicant has submitted a Transport Assessment with the application which indicates that the proposals would not significantly increase vehicle movements on the local highway network and that the amendments to the network, whilst obviously affecting the direction of vehicle flow around the local network, would not impact significantly on the highway safety or traffic volume.

SECTION 106 AGREEMENT

In order to improve pedestrian links in the area and to encourage increased use of public transport, a section 106 agreement is requested for the upgrading of the existing Zebra crossing on Church Road to a Puffin type and the provision of new Puffin crossing near to the proposed shops and also for improvements to four existing bus stops on Church Road. The applicant has indicated that these measures are acceptable. Several new traffic regulation orders will be required and amendments to existing orders, which would also be incorporated into the requested 106.

In summary, subject to a section 106 agreement, it is considered that there are no sustainable reasons for refusal of this application on highway safety or congestion grounds.

The Director of Technical Services (Highway Maintenance) comments that although this is an outline proposal, it is clear that there are a number of areas of highway which will require stopping up, in order for the development to proceed.

Additionally, a section 38 and possible section 278 agreements will be required for the new areas of highway works. These must be agreed and in place prior to commencement of any alteration to the existing highways. These requirements are attached as informal notes should committee be minded to approve the application.

No new areas of landscaping will be adopted by the Authority. Shared access will not be adopted. There are no objections to the proposal at this outline stage.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Sustainability and environmentally friendly new housing developments should be the benchmark in line with PPS3, PPS1 [together with the consultation PPS on Climate Change] and the recently launched 'Code for Sustainable Homes', which sits alongside the planning system.

The Council has signed up to the Nottingham Declaration and is currently preparing a 'Strategy for Climate Change' for the Borough. In the latest report on 'Developing Local Planning Guidelines for Sustainable Development', which advocates the role of Planning in assisting with delivering Climate Change benefits in new developments, the Council will use this and build upon advice contained within its recently adopted Statement of Community Involvement to encourage developers to meet early with Planning and Building Control Officers to discuss the best way to secure environmental and sustainable measures in new developments before lodging an application.

The Council has and will continue to work with the developer of this scheme to deliver 'Very Good' Eco-homes standard or alternatively, and preferably, 'Level Code Three' housing as set out in the above Code to ensure that the proposed homes are of a good quality and are sustainable throughout their lifetime.

The application site is located in an area that has good public transport accessibility and there are local facilities available that are in reach by other means than the private car. This should contribute to cutting carbon emissions and the development overall should look to viably and readily draw at least 10% of its energy supply from decentralised energy supply systems based upon renewable and low-carbon forms of energy supply, or where there is a clear potential for this to be realised.

Materials, from where they are sourced and their effective and economic use in the construction of the new buildings will be equally important and could be measured through either Building Control regulations or the Code Level Three standards. This should ensure that each building has met the required 10% for renewable energy in new developments as set out in PPS1.

Recommendation: Approve subject to a Section 106 Legal Agreement

Condition(s):

- 1 Outline (C51A)
- 2 Outline Standard time limits. (C51C)
- 3 Time limit for submitting details (C51D)
- 4 Carry out development as approved (C51E)
- 5 samples of the materials to be submitted and approved prior to commencement (C59B)
- 6 Cycle parking scheme to be submitted and completed prior to occupation (C61L)
- 7 Details of floor levels and relationship to highway to be submitted. (C61K)
- 8 Scheme of land drainage and surface water drainage to be submitted and approved prior to commencement. (C61N)
- 9 Floodlighting details to be submitted and agreed before use. (C63A)
- 10 Land drainage scheme to be submitted and agreed. (C63B)
- 11 Site level survey and proposed site and floor levels to be submitted. (C65B)
- 12 Detailed landscaping scheme to be agreed prior to commencement (C71A)
- 13 Replacement of diseased planting for a period of 5 years from completion. (C71G)
- 14 Landscaping works to be carried out in accordance with the approved details as set out in Condition 12. (C71J)
- 15 Remove permitted development for gates, walls and fences (C57A)
- 16 Remove permitted development for all extensions. (C57C)
- 17 Remove permitted development for external cladding (C57F)
- 18 Remove permitted development for additional buildings. (green belt) (C57G)
- 19 Any subsequent reserved matters application submitted to the Local Planning Authority must comply and be in accordance with all aspects of the content of the accompanying design code to this application hereby approved.
- 20 Development according to plans received on 8th August 2007. (C24C)
- 21 Prior to the commencement of development a ground contamination survey shall be undertaken, taking into account any potential contaminants from all known previous land uses. Should this survey identify any such contaminants, then a scheme of remediation to render the site suitable for use shall be submitted to the Local Planning Authority for approval prior to such works being undertaken.
- 22 A statement giving precise details of the nature and extent of any such remediation, together with certification that the site has been made suitable for its intended use, shall be submitted to and approved by the Local Planning Authority before commencing any development of the site.

Reason for conditions

- 1 Standard (CR51)
- 2 Standard (CR52)
- 3 Standard (CR86)
- 4 To avoid uncertainty (CR53)
- 5 In the interests of visual amenity. Policy EM6 or HS4 of the UDP (CR66)
- 6 To promote more sustainable forms of transport. Policy TR12 of the UDP (CR69)
- 7 Highway safety (CR13)
- 8 To ensure satisfactory land drainage and to prevent flooding. (CR70)
- 9 To ensure that satisfactory details of floodlighting are submitted and approved, and to ensure the adequate protection of local amenity, having regard to ??????? of the Wirral Unitary Development Plan.
- 10 To secure adequate land drainage, and the adequate protection of local amenity, having regard to ??????? of the Wirral Unitary Development Plan.
- 11 To ensure a satisfactory appearance and avoid overlooking having regard to ??????? of the

Wirral Unitary Development Plan.

- 12 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
- 13 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
- 14 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
- 15 To maintain the character of the area. Policy HS4 of the UDP (CR60)
- 16 To maintain the character of the area. Policy HS4 of the UDP (CR61)
- 17 To maintain the character of the area. Policy HS4 of the UDP (CR63)
- 18 To protect the privacy of residents. Policy HS11 of the UDP (CR62)
- 19 In the interests of Residential Amenity. Policy HS4 of the Wirral UDP.
- 20 For the avoidance of doubt. (CR33)
- 21 In the interests of residential amenity. Policy HS4 of the Wirral UDP.
- 22 In the interests of residential amenity. Policy HS4 of the Wirral UDP.

Last Comments By: 05 July 2007

56 Day Expires On: 23 August 2007