
ITEM APP/2007/6176 WARD Bromborough

Location: Sydenham House and Depot Port Causeway Bromborough Wirral CH62 4TB

Proposal: Demolition of office block and depot and erection of 23 houses and 24 apartments

Applicant: Rowland Homes Ltd
Farington House
Stanfield Business Park
Stanifield Lane
Leyland
PR25 4UA

Agent: Willacy Horsewood Partnership
Mollington Grange
Parkgate Road
Mollington
Chester
CH1 6NP

Development Plan allocation and policies: Wirral Unitary Development Plan
PPS1 -Delivering Sustainable Development
PPG3 - Housing (March 2000)
Regional Spatial Strategy for the North West 2004
Policy DP1
Policy HS4
Policy HS13
SPD2 - Designing for self contained flat development and conversions

Planning History: APP/1989/6285
Erection of a three storey and second floor extensions to existing office block
Conditionally approved
26.07.89

Representations and consultations received: REPRESENTATIONS
A site notice was displayed on a lamppost near the site and the application was advertised in the local press. A total of 25 letters of notification have been sent to properties in the area. At the time of writing this report the following objections have been received.

The occupiers of 4, 8, 10, 14, 22, 24, 28, 32, 34, 36 Terminus Road and 29 Eastern Avenue have objected to the proposal for the following reasons.

Overshadowing
Lack of Parking
Scale and Massing
Devaluation of property values (Not planning related)
Noise Pollution

A qualifying petition delivered by Councillor Moon Was received on the 18th July 2007. This petition listed in total 51 individual names.

CONSULTATIONS
Director of Regeneration - Housing & Environmental Protection Division makes the following recommendations.

The ground contamination survey shall be undertaken, taking into account any potential contaminants from all known previous 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. 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. 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.

Part of the proposed site is adjacent to existing commercial/industrial developments and I would ask for a condition requiring details of the double glazing provision to the facades of the 3 and 4 storey apartments that face towards Port Causeway, Thermal or Stadium Roads to be submitted to and agreed in writing with the LA.

The recent planning application APP/2006/7052/E which was approved on 9th March 2007 provided a new service access road to the above retail park off Stadium Road. There is however an hour's restriction on the use of the said road which will reduce the possibility that it would have an impact upon this application.

A 2 metre high close bordered boundary fence or equivalent should be provided to the rear boundary which backs onto the cycle path and one of the car parks of the Croft Retail Park.

The recent planning application APP/2006/7052/E which was approved on 9th March 2007 provided a new service access road to the above retail park off Stadium Road. There is however an hour's restriction on the use of the said road which will reduce the possibility that it would have an impact upon this application.

Director of Technical Services - Traffic Management Division no objection to the proposal.

Change of use from 2no. office blocks to 48 residential properties is likely to result in some highway gain in terms of a reduction in traffic movements within Terminus Road. The proposal will also result in the provision of a 1.8 metres footway to the south side of Terminus Road.

The proposed new access road to the apartment block element of the application affords adequate sight lines and visibility splays.

A condition to remove or reduce the existing boundary wall to less than 1 metre from Terminus Road Frontage is required to ensure adequate sightlines for each dwelling house can be achieved.

Directors comments:

PROPOSAL

The application originally sought approval for the Demolition of an office block and depot and the erection of 23 houses and 28 apartments. However, following initial assessment the proposal has been amended and it now seeks approval for 24 apartments, whilst the number of houses has remained the same.

PRINCIPLE OF DEVELOPMENT

The site is situated within a Primarily Residential Area. Therefore development is acceptable in principle subject to the provisions of Policy HS4. The proposed development is within the area where new housing is allowed under the provisions of the Council's adopted Interim Housing Policy.

SITE AND SURROUNDINGS

The site is allocated as a primarily residential area although it is currently occupied by a non conforming use consisting of a mostly three storey office building. The site is bordered by a two metre high brick wall. Properties opposite the site are two storey terraced properties with a variety of boundary treatments to front gardens. The Croft Retail Park lies to the south and there are Industrial uses to the north and east.

POLICY CONTEXT

In terms of national planning guidance and RPG13, the securing of efficient use of Brownfield land in urban areas, an objective the Council fully supports, should be achieved without causing unacceptable harm to the appearance and character of those areas. PPG13 (Transport) paragraph 16 states in order to promote sustainable development principles set out under PPS3 (Housing); development proposals should "avoid the inefficient use of land", generally encouraging housing development between 30 and 50 dwellings per hectare net. However, the greater intensification of sites in town centre areas is encouraged when linked to nearby quality public transport links.

Unitary Development Plan policies HS4 and associated SPD2 indicate that proposals for new residential development are acceptable in principle in Primarily Residential Areas where the circumstances of the site allow it and the proposal complies with the

detailed criteria of these policies. The site is also identified by the Interim Housing Policy as being appropriate for new residential development.

The proposed development of 47 units equates to a density ratio of approximately 75 dwellings per hectare. Whilst it is above the maximum densities set out in PPS3, there are good bus routes along New Chester Road and the proposal is removing a non-conforming use in this Primarily Residential Area. The Local Planning Authority considers that the higher density can therefore be justified as acceptable here.

HEALTH ISSUES

Having regard to the site's previous industrial/commercial uses, it is considered prudent to ensure that any potential ground contamination arising from these past/present uses does not prove harmful to the well being of future residents. With this in mind, and having regard to the advice of the Environmental Health Officer, a ground contamination survey is conditioned, prior to the commencement of development, should members be like-minded to approve this application.

APPEARANCE AND AMENITY ISSUES

Following an onsite assessment and having considered all valid planning objections the application has been amended at the request of the Local Planning Authority as originally there were certain aspects of the proposal that were considered unacceptable.

Amendments were requested by letter on the 24th July 2007. The suggested amendments were threefold. Given the site is not located in an area where there is quality nearby services and in line with the density requirements it was advised that the density of the development be reduced. This was achieved by removing the top floor of the four storey apartment block. In doing this the density has been reduced to an acceptable level and the scale and massing is now more suitable to the local character of the area. In addition to this it was considered that the 'Toulon' house type would have introduced a level of overlooking that would have been detrimental to the occupiers of properties on the other side of Terminus Road. In addressing this issue the applicant has substituted this three storey property with a 2 storey dormer style property. This is considered to be more acceptable and it is considered to be the more suitable design solution whilst respecting the amenities of the neighbouring residents.

The interface distances between properties is acceptable and meets the requirements of the minimum of 21 metres from habitable room window to habitable room window.

HIGHWAY/TRAFFIC IMPLICATIONS

Director of Technical Services - Traffic Management Division has no objection to proposals subject to a condition to reduce the height of a nearby wall to less than 1 metre so that satisfactory sightlines are achieved.

ENVIRONMENTAL AND SUSTAINABILITY ISSUES

During the consultation period it became apparent that there was the possibility that bats are present within and surrounding the site. The Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c.) Regulations 1994 makes it an offence to intentionally damage, destroy or obstruct access to any place used by bats for shelter or protection. A bat survey has been commissioned to investigate the presence of bats and was submitted with the application. Its principal findings were:

- No evidence was found during the external or internal inspections that would indicate that a bat roost was present on site.
- There is little vegetation within the proposed development boundary, however a strip of deciduous woodland is immediately adjacent the site and would provide good foraging habitats for bats.
- No bats were seen emerging from the buildings on site and only minimal bat activity was observed within the boundary of the proposed development

- Common Pipistrell bats were recorded foraging around the woodland area to the rear of the proposed development site and it is thought that bats may roost in these properties.
- Common Pipistrelle bats were also recorded flying to and from the residential housing estate directly opposite the proposed development site.
- The survey found no evidence to suggest that the buildings were used by bats therefore the development of a mitigation scheme or a licence application will not be required. It is possible however to incorporate bat accommodation into new developments with the aid of purpose built bat bricks and it is recommended that this is considered within the final design.

CONCLUSION

The proposed development consisting of 47 units on this site represents a suitable form of development. It is considered that the proposal is of such a scale that relates well to the surrounding properties in terms of scale and density and the built form is complementary to the local environment. The removal of a non-conforming use in a Primarily Residential Area is considered to be beneficial to the local character and on balance this proposal is deemed acceptable.

Summary of Decision: The proposal is for a residential development within a primarily residential area. Whilst the proposed development would exceed policy guidance with regards to density, it is considered that the proposal would contribute to regeneration of the area and would meet many of the requirements of PPG3, HS4 of the Wirral Unitary Development Plan and SPD2.

Recommendation: **Approve**

Condition(s):

- 1 Full planning permission: standard commencement date. (C03A)
- 2 samples of the materials to be submitted and approved prior to commencement (C59B)
- 3 Cycle parking scheme to be submitted and completed prior to occupation (C61L)
- 4 Detailed landscaping scheme to be agreed prior to commencement (C71A)
- 5 Landscaping works to be carried out in accordance with the approved details as set out in Condition 6. (C71J)
- 6 Development according to plans received on 7th August 2007. (C24C)
- 7 Before the development hereby permitted is first commenced, a datum for measuring land levels shall be agreed in writing with the local planning authority. Full details of existing and proposed ground and finished floor levels on site and adjoining levels off site 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.
- 8 Notwithstanding the details indicated on Plan 853-L01. Rev D, before development commences, further details of a purpose built bat brick shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
- 9 The ground contamination survey shall be undertaken, taking into account any potential contaminants from all known previous 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. 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.
- 10 Notwithstanding the details indicated on Plan HT5-P-01, HT14/06FL/2, HT14/06FL/3 and HT14/06FL/4, no development shall commence until further details of a scheme of double glazing provision to the facades of the 3 storey block that face towards Port Causeway, Thermal Road and Stadium Road be submitted and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
- 11 Notwithstanding the details indicated on Plan 853-L01. Rev D, and before development commences, further details of a fence measuring 2metre high from ground level to be erected along the entire length of the southern boundary shall be agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

- 12 Prior to the occupation of any dwellings the wall nearest to dwelling marked No 1 on Plan 853-L01. Rev D running parallel shall be reduced to less than 1 metre and shall remain at this height thereafter.

Reason for conditions

- 1 Standard (CR86)
- 2 In the interests of visual amenity. Policyr HS4 of the UDP (CR66)
- 3 To promote more sustainable forms of transport. Policy TR12 of the UDP (CR69)
- 4 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
- 5 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
- 6 For the avoidance of doubt. (CR33)
- 7 To protect the amenity of neighbouring properties and to ensure a satisfactory development having regard to policies HS4 of the Wirral UDP.
- 8 In the interest of protecting a protected species as identified in the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c.) Regulations 1994.
- 9 To ensure a satisfactory development having regard to HS4 of the Wirral Unitary Development Plan.
- 10 To ensure a satisfactory development having regard to HS4 of the Wirral Unitary Development Plan.
- 11 In the interest of residential amenity having regard to policy HS4 of the Wirral UDP.
- 12 In the interest of highway safety.

Last Comments By: 19 July 2007

56 Day Expires On: 04 September 2007

Case Officer: Mr G McGowan

Notes:

INFORMATIVE

It is important that if evidence of bats is subsequently found at any point during the demolition of these buildings, all works should cease and a licensed bat worker is informed.