



## Planning Committee

<b>Date:</b>	<b>Thursday, 14 September 2023</b>
<b>Time:</b>	<b>6.00 p.m.</b>
<b>Venue:</b>	<b>Committee Room 1 - Birkenhead Town Hall</b>

**Contact Officer:** Katy Brown  
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## AGENDA

- 1. WELCOME AND INTRODUCTION**
- 2. APOLOGIES FOR ABSENCE**
- 3. MINUTES (Pages 1 - 6)**

To approve the accuracy of the minutes of the meeting held on 17 August 2023.

- 4. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members are asked whether they have any personal or prejudicial interests in connection with any application on the agenda and, if so, to declare them and state the nature of the interest.

5. **ST OSWALDS CHURCH, BIDSTON VILLAGE ROAD, BIDSTON, CH43 7QT INSTALLATION OF 1800MM X 1200MM CHURCH NOTICEBOARD MOUNTED ON ALUMINIUM POSTS. (Pages 7 - 16)**
6. **LOCK UP GARAGES (19) EDGEMOOR CLOSE, BEECHWOOD, CH43 9XH ERECTION OF 2 BUNGALOWS AND ASSOCIATED HARD AND SOFT LANDSCAPING. (Pages 17 - 30)**

#### **Planning Committee Terms of Reference**

The terms of reference for this committee can be found at the end of this agenda.

## PLANNING COMMITTEE

Thursday, 17 August 2023

<u>Present:</u>	Councillor	S Kelly (Chair)	
	Councillors	H Gorman K Hodson C Baldwin B Kenny	J Stewart Laing S Powell-Wilde Jason Walsh
<u>In attendance:</u>	Councillors	L Luxon-Kewley M Jordan G Davies	
<u>Apologies</u>	Councillors	S Foulkes M Booth G McManus	

### 23 WELCOME AND INTRODUCTION

The Chair welcomed Members of the Planning Committee, Officers, members of the public and those watching the webcast to the meeting.

### 24 APOLOGIES FOR ABSENCE

Apologies were received from Councillor M Booth, who was deputised by Councillor M Jordan, Councillor S Foulkes who was deputised by Councillor George Davies and Councillor G McManus who was deputised by Councillor Luxon-Kewley.

### 25 MINUTES

The director of Law and Governance submitted the minutes of the Planning Committee meetings held on 8 June and 20 July 2023.

**Resolved – That the minutes of the Planning Committee meetings held on 8 June and 20 July 2023 be approved.**

### 26 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked whether they had any personal or prejudicial interests in connection with any item on the agenda and if so, to declare them and state what they were.

No such declarations were made.

- 27 **APP/22/01592; 22 MONTPELLIER CRESCENT, WALLASEY, CH45 9AB. DEMOLITION OF EXISTING SINGLE STORY REAR EXTENSIONS TO MONTPELLIER MANSIONS. ERECTION OF FULL HEIGHT REAR EXTENSION, NEW MANSARD ROOF WITH DORMERS AND INTERNAL ALTERATIONS TO APARTMENTS. ERECTION OF A TWO-STORY REAR EXTENSION AND INTERNAL RECONFIGURATION TO THE COACH HOUSE. (AMENDED PLANS AND DESCRIPTION)**

The Development Management Manager presented the report of the Director of Regeneration and Place in relation to the above application for consideration.

An objector of the application, Gabrielle Simpson addressed the committee.

The Applicant, Paul Brett, addressed the committee.

On a motion by the Chair seconded by Councillor K Hodson it was –

**Resolved - that the application be approved subject to the following conditions.**

**1 The development hereby permitted shall begin not later than [3] years from the date of this decision.**

**2 The development hereby permitted shall be carried out in accordance with the approved plans listed as follows:**

**PL.001 Location Plan**

**PL.002(A) Existing Site Plan**

**PL.004(A) Existing Elevations**

**PL.003(B) Existing Floorplans**

**PL.005 Existing Street Elevations**

**PL.006(E) Proposed Site Plan**

**PL.007(E) Proposed Floor Plans**

**PL.009(D) Proposed Street Elevations**

**PL.008(E) Proposed Elevations**

**PL.010(B) Proposed Elevation Materials**

**Bat Scoping Assessment (Mulberry Consultants, ref. KE22/02693, dated 19.12.22)**

**Arboricultural Method Statement (Mulberry Consultants, ref. TRE/MMASNB, dated 20.12.22)**

**Arboricultural Implications Assessment (Mulberry Consultants, ref. TRE/MMASNB, dated 20.12.22)**

**3 Notwithstanding the hereby approved Proposed Elevation Material Plan (ref. PL.010(B)), prior to the commencement of any works to the superstructure (other than demolition), the applicant will submit to the LPA and have approved in writing, details of all external facing materials.**

**4 Notwithstanding the hereby approved Proposed Site Plan (ref. PL.006(E)), prior to the commencement of any works to the superstructure (other than demolition), the applicant will submit to the LPA and have approved in writing, details of the 14no. cycle parking stands/enclosures. The development will be built-out strictly in accordance with the approved details and maintained and be used solely for the purpose of cycle parking for the life of the development.**

**5 Other than the 2no. dedicated disabled spaces, the 14no. car-parking spaces as shown on hereby approved Proposed Site Plan (ref. PL.006(E)), shall be built-out strictly in accordance with the hereby approved details and maintained and be used solely for the purposes of parking for the life of the development.**

**6 Unless otherwise agreed in writing by the LPA, the 2no. disabled parking spaces as shown on hereby approved Proposed Site Plan (ref. PL.006(E)), shall be built-out strictly in accordance with the hereby approved details and maintained and be used solely for the purposes of parking of blue badge holders for the life of the development.**

**7 Prior to the commencement of any works to the superstructure (other than demolition), a detailed scheme for landscaping will be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise of a plan and specification and demonstrate: i) The materials to be used for hard and soft surfacing; ii) tree and hedge planting across the site (including a minimum of nine trees and, where iii) detailed planting plan and specification for soft landscaping of land iv) the location and design of fences, gates, walls, railings or other means of enclosure v) the timing of implementation of the scheme and vi) the specification and siting of a box scheme is produced for the site including suitable nesting features for house sparrows which should be built into the hereby approved extensions. Thereafter development shall be carried out as approved.**

**8 No tree, shrub or hedgerow felling is to be carried out on the site between 1 March and 31 August in any year. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.**

**9 No plant or materials shall be brought onto site until Root Protection Area fencing and Ground Protection has been installed in accordance with the submitted tree protection plan MMNB/MS/01 and specification within the hereby approved Arboricultural Impact Assessment and Method Statement by Mulberry Consultants. Thereafter: Development shall be carried out in accordance with the approved details and the fencing shall be retained until development subject to this consent is completed. There shall be no excavation or other alteration of ground levels, storage of materials or plant, parking of vehicles, deposit of soil or rubble, lighting of fires or disposal of liquids within any area fenced off as part of the tree protection plan and specification, without prior approval of the arboricultural consultant and / or the local planning authority.**

**The Tree Protection Barriers and Ground Protection shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been removed from site. If such protection measures are damaged beyond effective functioning, then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.**

**10 The Arboricultural Method Statement TRE/MMASNB and plan MMNB/MS/01 submitted in support of the application shall be adhered to in full.**

**11 Prior to the commencement of development, a Construction and Environmental Management Plan shall be submitted to and approved in writing by The Local Planning Authority. The provisions of the Construction and Environmental Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.**

**12 The development hereby permitted shall not be occupied until the windows identified on the hereby approved proposed floor plans; PL.007(E) and proposed elevations; PL.008(E) are fitted with glazing obscured to at least Pilkington level 3. Thereafter the obscured glazing shall be retained for the life of the development.**

**28 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE- PLANNING APPEALS**

The Development Management Manager presented the report of the Director of Regeneration and Place to update Members on the performance of the

Development Management Service regarding planning appeals, including the percentage of the Council's decisions overturned (on appeal) by the Planning Inspectorate.

In a response to a query regarding why the report was not brought to committee in July 2023, the Development Management Manager detailed the current work load and staffing changes taking place in the planning department, and informed members that this was the earliest opportunity to produce the report.

Councillor K Hodson praised the planning team for its recent work and noted that quarter 1 figures would reduce following the outcome of a planning appeal hearing.

The Chair expressed contentment with the information produced.

On a motion by the Chair, seconded by Councillor K Hodson, it was –

**Resolved – That the performance update report be noted and endorsed.**

29 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - PLANNING APPLICATIONS**

The Development Management Manager presented the report of the Director of Regeneration and Place to update Members on the performance of the Development Management Service with regard to determining planning applications. The report outlined performance against government targets in terms of the speed of processing all applications.

Members noted that the change to a use of a new software had caused a backlog of cases.

In response to a member query as to whether the department was adequately resourced, the Development Management Manager informed members that the team currently has sufficient staff levels, however this could change depending on the unpredictable nature of the workload.

On a motion by the Chair, seconded by Councillor K Hodson, it was –

**Resolved – That the performance update report be noted and endorsed.**

30 **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE- ENFORCEMENT ACTIVITY BETWEEN 1ST JANUARY 2023 TO 31ST MARCH 2023, AND 1ST APRIL 2023 TO 30TH JUNE 2023.**

The Development Management Manager presented the report of the Director of Regeneration and Place to update Members on the performance of the

Development Management Service with regard to its planning enforcement activity for the period of 1st January 2023 to 31st March 2023, and 1st April 2023 to 30th June 2023.

Members requested further information from officers, such as roll over figures regarding cases yet to reach a key milestone.

On a motion by the Chair, seconded by Councillor K Hodson, it was –

**Resolved – That the performance update report be noted and endorsed.**



# Agenda Item 5

<b>Planning Committee</b>	<b>14th September 2023</b>
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<b>Reference:</b>	<b>Area Team:</b>	<b>Case Officer:</b>	<b>Ward:</b>
ADV/22/00521	DM	Mr T Barton	Bidston and St. James

<b>Location:</b>	St Oswalds Church, BIDSTON VILLAGE ROAD, BIDSTON, CH43 7QT
<b>Proposal:</b>	Installation of 1800mm x 1200mm church noticeboard mounted on aluminium posts.
<b>Applicant:</b>	Revd Smith
<b>Agent :</b>	N/A

**Site Plan:**



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<b>Development Plan designation:</b>	Bidston Village Conservation Area and Primarily Residential Area.
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<b>Planning History:</b>	APP/03/06856 - Installation of external lighting and security cameras. Conditional approval. Implemented.
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**Summary Of Representations and Consultations Received:**

<b>1. Ward Member Comments</b>	No comments received.
<b>2. Summary of Representations</b>	<b><u>REPRESENTATIONS</u></b> Received: 0

	<p><b><u>CONSULTATIONS</u></b>  Ward Councillor McManus has called the application in for committee determination as they see no justified reason why the application should be refused.</p>
<p><b>3.1 Site and Surroundings</b></p>	<p>The application relates to the grounds of a Grade II listed parish church. The listing describes the church as largely dating from 1856 to the designs of W and J Hay but incorporating a late medieval tower with a chancel. The north aisle was also possibly added or remodelled in 1882 by W. E. Grayson. The church and its grounds are located at an elevated level relative to the adjacent highways. Mapping images show that the lychgate has been present on site since at least 1899 and it is likely that the sandstone boundary walls were constructed prior to 1948 also. Both the lychgate and the boundary walls are therefore part of the listing of the church as they are within the curtilage of the church and have formed part of the land since 1948. The site is surrounded by houses with the exception of the grounds of the Village War Memorial being partially located opposite the site.</p>
<p><b>3.2 Proposed Development</b></p>	<p>The application proposes the installation of a 1.8m wide x 1.2m high church noticeboard made of colour coated aluminium and mounted on aluminium posts. The height from the ground to the base of the sign would be 1m such that the overall height of the sign would be 2.2m from ground level. The sign is proposed to the western side of the lychgate, behind the sandstone boundary wall fronting onto Bidston Village Road. The purpose of the sign is to communicate church activities to the local community. The proposal requires advertisement consent in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 ('the 2007 Regulations'). It does not benefit from deemed consent under Schedule 3 (2C) of the 2007 Regulations for an advertisement relating to a religious institution because the surface area of the sign exceeds 1.2 square metres at 2.16 square metres, as well as because two signs are proposed on the same premises and road frontage. There is an existing metal framed noticeboard behind the lychgate which mapping images indicate has been present on site since at least 2005.</p>
<p><b>3.3 Development Plan and Regulations</b></p>	<p>Advertisements are controlled by Local Planning Authorities under the provisions of the 2007 Regulations. The display of advertisements is controlled through a specific approval process and separate planning permission is not required in addition to advertisement consent. Under section 222 Town and Country Planning Act 1990 (as amended) planning permission is deemed to be granted for any development of</p>

land involved in the display of advertisements in accordance with the 2007 Regulations.

The adopted development plan (as is relevant to this proposal) is the Wirral Unitary Development Plan (2000) (hereafter referred to as the 'UDP') and the Joint Waste Local Plan for Merseyside and Halton.

There is no policy directly applicable to the display of adverts within the UDP. However, under the Regulation 3(1) of the 2007 Regulations Local Planning Authorities shall exercise their powers in the interests of amenity and public safety taking into account the provisions of the Development Plan, so far as they are material, and any other relevant factors. Under Regulation 3(2) of the 2007 Regulations amenity is not defined exhaustively but factors relevant to amenity include the general characteristics of the locality including presence of any feature of historic, architectural, cultural or similar interest.

Relevant policies of the UDP are:

Policy CHO1 – The Protection of Heritage

In considering all development proposals the Local Planning Authority will pay particular attention to the protection of:

- i. Buildings, structures and other features of recognised architectural or historic importance;
- ii. Historic areas of distinctive quality and character;
- and
- iii. Important archaeological sites and monuments.

Proposals which would significantly prejudice these objectives will not be permitted.

Policy CH1 - Development Affecting Listed Buildings and Structures

This policy requires that proposals are of a nature and scale appropriate to retaining the character and design of the building or structure and its setting. That adequate provision is made for the preservation of the special architectural or historical features of the building or structure.

Policy CH2 – Development Affecting Conservation Areas

Development located within, adjacent to or otherwise affecting the setting or special character of a Conservation Area, will be permitted where the visual and operational impact of the proposals can be demonstrated to preserve or enhance:

- i. The distinctive characteristics of the Area, including important views into and out of the designated Area;
- ii. The general design and layout of the Area, including the relationship between its buildings, structures, trees and characteristic open spaces;
- and
- iii. The character and setting of period buildings and

	<p>other elements and other elements which make a positive contribution to the appearance and special character of the area.</p> <p>When granting consent, special regard will be given to matters of detailed design, especially within main frontages and prominent elevations, and to the nature, quality and type of materials proposed to be used.</p> <p><u>CH4 Bidston Village Conservation Area Policy</u></p> <p>In relation to Bidston Village Conservation Area the principal planning objectives for the area will be to:</p> <p>(i) preserve the rural character of the historic village and the visual separation of the village from the modern, built-up areas nearby;</p> <p>(ii) retain the character, scale and setting of remaining agricultural buildings and cottages;</p> <p>(iii) preserve unifying features of design, such as window treatments, stone parapets, gabled entrance porches, the mix between brick and stone as building materials, and stone boundary walls; and</p> <p>(iv) retain tree-belts on the lower slopes of Bidston Hill behind Bidston Hall, and on land between Lennox Lane and Bidston Village Road.</p> <p>Priority will be given to retaining primarily rural land-uses within the precincts of Church Farm, Ivy Farm, Yew Tree Farm and Bidston Hall Farm, and to retaining the open aspect of land between Boundary Road and Bidston Hall, and at the junction of Lennox Lane and Bidston Village Road.</p> <p><u>Policy HS15 Non-Residential Uses in Primarily Residential Areas</u></p> <p>Within the Primarily Residential Areas proposals for small-scale built development and changes of use for non-residential uses will only be permitted where the proposal will not:</p> <p>(i) be of such scale as to be inappropriate to surrounding development;</p> <p>(ii) result in a detrimental change in the character of the area; and,</p> <p>(iii) cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on-street parking and deliveries by vehicle.</p> <p>Proposals should make adequate provision for off-street car parking standards and servicing requirements.</p>
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<p><b>3.4 Other Relevant Factors</b></p>	<p>Relevant to determination of this application is the statutory requirement for local planning authorities to have special regard to the desirability of preserving a listed building, its</p>
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setting and any features of special interest (s.16 and 66, Town and Country Planning Act 1990). Also relevant is the statutory duty of section 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

National Planning Policy Guidance (NPPG) states that issues of amenity are a matter for interpretation by the Local Planning Authority. Nonetheless, it states that it includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

National Planning Policy Framework (2021) Chapter 12 Achieving well-designed places and Chapter 16 Conserving and enhancing the historic environment

Paragraph 136 of the Framework states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Paragraph 195 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

National Planning Policy Guidance (NPPG)

Issues of amenity are a matter for interpretation by the Local Planning Authority. Nonetheless, it states that it includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Bidston Village Conservation Area Appraisal (2009)

Bidston Village Conservation Area's special character can be summarised as follows:

- Historic village with pre medieval origins.
- Historic farmstead settlement dating to 16th and 17th century

- Central Church rebuilt in twelfth century, tower dating to 1520, altered 1856 with windows by Morris and Co (1912), H. Hughes.
- Bidston Hall and gates; a late C16-early C17 re-building of an earlier structure
- Good range of historic agricultural buildings and layouts; barns, cow byres, pig styes, stables
- Open land remains at the centre of the village.
- Interesting mix of building scale, height and size with irregular fenestration patterns
- Buff local sandstone, Welsh slate and stone slate roofs
- Rare cruck frame construction survives
- Stone mullioned windows, coped gables, chimneys
- Well-presented gardens, local sandstone boundary walls, gate posts.
- Visible natural bedrock
- Vertical boarded doors
- Stone cobbled, setts, flagged yards

Bidston Village Conservation Area Management Plan (2009)  
Emerging Wirral Local Plan and its status

Wirral Borough Council has submitted the Wirral Local Plan 2021-2037 for examination.

On the 21 March 2022 full council approved publication of the Draft Local Plan Under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The plan was published in May 2022 and representations were available to be submitted until 25<sup>th</sup> July 2022. The Local Plan was submitted to the Secretary of State on the 26<sup>th</sup> October 2022. The local plan and supporting evidence base can be viewed online at [www.wirral.gov.uk/lpexam](http://www.wirral.gov.uk/lpexam)

As the Wirral Local Plan has been submitted for examination it (and the supporting evidence base) is a material consideration and can be afforded weight in the decision-making process. In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:

“Local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”

	<p>Within the emerging Local Plan, the site is located within the Birkenhead to Eastham Conurbation Primarily Residential Area and the Bidston Village Conservation Area.</p> <p><b>Applications involving heritage</b></p> <p><u>Main policies:</u>  Policy WD2 Heritage Assets including Archaeological assets  Policy WP3.1 Policy for Suburban Birkenhead: Conservation Areas - Bidston Village.</p> <p><u>Other supporting policies:</u>  Policy WS 1.2 (H)(5) Conserve heritage assets  Policy WS 7 Principles of Design, includes Privacy and Amenity and Parking  Policy WS 6 Placemaking for Wirral  Policy WS 8 Strategy for Sustainable Construction including historic buildings</p> <p><b>Applications in Primarily Residential Areas</b></p> <p><u>Main policy:</u>  Policy WD 10 Non-Residential Uses in Primarily Residential Areas</p> <p><u>Other supporting policies:</u>  Policy WS 3 Strategy for Housing  Policy WS 7 Principles of Design, includes Privacy and Amenity and Parking  Policy WS 6 Placemaking for Wirral  Policy WS 8 Strategy for Sustainable Construction  Policy WD 1 Landscaping including Trees</p>
<b>3.5 Assessment</b>	<p>The main issues pertinent in the assessment of the proposal are;</p> <ul style="list-style-type: none"> <li>• Principle of development;</li> <li>• Impact on amenity;</li> <li>• Public Safety.</li> </ul>
<b>3.6 Principle of Development</b>	<p>Proposals for advertisements are acceptable in principle subject to impacts on amenity and public safety.</p>
<b>3.7 Amenity</b>	<p>In terms of heritage, the proposal is in a very sensitive location being in the heart of the conservation area and surrounded by listed buildings which are a mixture of buildings constructed from between the 16th century and 1890. To the immediate east of the church are grade II listed buildings at Lilac Cottages and Tithebarn Cottages. The surrounding listed buildings are noted by the Conservation Area Character Appraisal Appendix C as category A Buildings 'critical to the character of the conservation area'. The Village War Memorial to the south of the site is also noted by the character appraisal as a principal building which is importance to the character and/or history of the conservation area.</p> <p>The Conservation Area Character Appraisal states in section 3.3 Views and Vistas within the Area that "With the majority of</p>

buildings predominantly set back from the street line and gardens/agricultural land consistently bounded by local buff sandstone walls, the agricultural and rural origins of the central village are retained. Mounted in an elevated position, the Church and Lilac Cottages are the focus of the village views and vistas:

View of the Church with Stone Farm behind

View of the Church with Church Farm in the foreground

View of the Church with Lilac Cottages in the foreground...

... Perhaps the most significant view within the village is looking down Bidston Village Road with the Lilac Cottages in the foreground and the church, Stone Farm and Church Farm beyond."

There are no heritage concerns raised to the principal of installing a new notice board at the above Church. However, the proposed siting, size and design/materials of the sign would detrimentally affect views to and the setting of not just the Grade II listed church to which the sign would relate, but would also detrimentally affect key views within the conservation area as well as the rural character and appearance of the conservation area.

The large blue aluminium sign would be located in a prominent position. It would be located on slightly elevated land as the ground moves up from the road to the church. The sign would also be located to the west of the lychgate featuring prominently towards the centre of the southern boundary of the site with little screening and set within grounds that are open to the west. A large blue colour coated aluminium sign with aluminium posts in this location and context would appear stark, intrusive and unduly prominent. The character and appearance of the listed church, surrounding listed buildings and conservation area are traditional, historic and rural. The sign would be out of keeping with this character and appearance.

The sign would prominently intrude upon the setting of the listed church, compromising appreciation of the architectural and aesthetic significance of the listed church, including also its historic lychgate and the sandstone boundary walls that it would be more immediately located adjacent to and form part of the listed building. When viewed from the south of the site especially the sign would appear intrusive on the setting of the listed church. Together with the existing metal framed sign to the rear of the lychgate, the intrusion of the proposed sign on the setting would be worsened by the cumulative impact of both metal signs and both would contribute towards visual clutter, again to the detriment of the setting of the listed church, Stone Farm and Lilac Cottages and the character and appearance of the conservation area. The sign would also intrude upon the view noted by the character appraisal above of the church with stone farm behind. It would also intrude



	<p>upon the setting of the church together with the Grade II listed Lilac Cottages to the east of the site, as well as intruding upon what the conservation area appraisal states as "perhaps most significant view within the village is looking down Bidston Village Road with the Lilac Cottages in the foreground and the church, Stone Farm and Church Farm beyond."</p> <p>There was a sign to the eastern side of the lychgate which according to mapping images appears to have been installed by 2005 and was removed by August 2022. There is no planning history of advertisement consent on the site despite their formerly being two signs on the same premises and road frontage. This sign was nevertheless in a more appropriate location where the prominence of the sign and the impact on the setting of the listed church building was not as substantial. It was also a more appropriate sign for the context, being smaller relative to the proposed sign and made of timber.</p> <p>The applicant has submitted an old image of a sign to the left of the lychgate in support of the proposal, which has been labelled by hand with the date of c. 1959. There is no verified evidence that this is the original sign of the church, and this sign has not been present on site since at least 2005. In any case, this former was a more subdued sign than what is being proposed, appearing to be smaller and made of timber. It is also not clear if there were other more historic signs on this road frontage.</p> <p>I therefore do not consider the former presence of these signs on the site justifies the large blue aluminium sign in a prominent location on the site.</p> <p>Whilst the proposal would provide the benefit of a community noticeboard for the church, this benefit is not considered to outweigh the harm of the proposal to the setting and character and appearance of the listed building and conservation area. The church could continue to function without an insensitive sign, by proposing a more appropriate sign in a more appropriate siting. More appropriate would be a smaller timber sign to the right-hand side of the lychgate, which is a less prominent location and the location of the former timber sign.</p>
<b>3.8 Public Safety</b>	<p>The proposal is acceptable with regards to public safety. The positioning and size of the advert is such that it would not prejudice the safe operation of transport or traffic (including the safety of pedestrians).</p>
<b>Summary of Decision</b>	<p>Having regards to the individual merits of this application the decision to refuse advertisement consent has been taken having regards to the interests of amenity and public safety, material Policies in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant factors material including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-</p>

	It is considered that the proposal would result in an unjustified harmful impact to the visual amenity of the surrounding conservation area and setting of listed buildings and is therefore unacceptable.
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<b>Recommended Decision:</b>	Refuse
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<b>Recommended Conditions and Reasons:</b>
1. The proposal by reason of its siting, size, design and materials would be harmful to the setting of the surrounding Grade II listed buildings at St Oswald's Church, Stone Farm and Lilac Cottages and harmful to the character and appearance of the conservation area including its key views contrary to policies CH01, CH1, CH2 and CH4 of Wirral's Unitary Development Plan, National Planning Policy Framework (2021) paragraphs 136, 195, 200 and 202 and Policies WD 2.1, WD2.2, WP3.1 and WD10 of Wirral's emerging local plan.

<b>Last Comments By:</b>	05/07/2023
<b>Expiry Date:</b>	15/09/2023

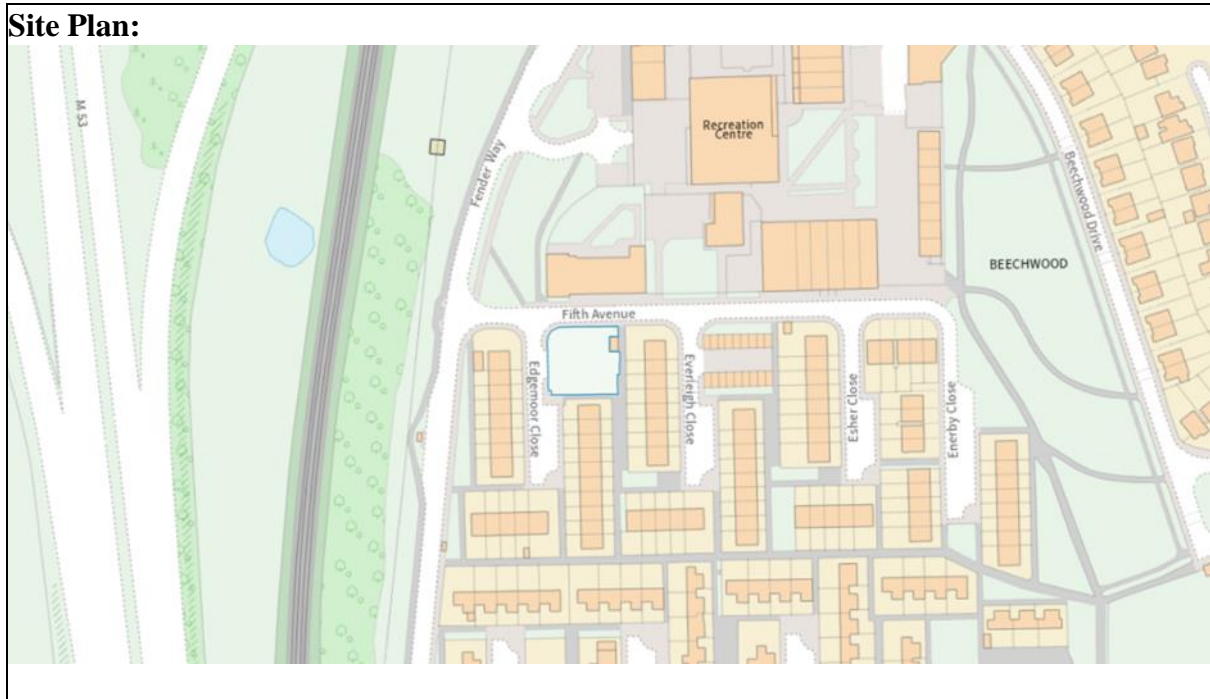
# Agenda Item 6

<b>Planning Committee</b>	<b>14<sup>th</sup> September 2023</b>
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<b>Reference:</b>	<b>Area Team:</b>	<b>Case Officer:</b>	<b>Ward:</b>
APP/22/02149	DM	Mr T Barton	Bidston and St James

<b>Location:</b>	Lock Up Garages (19) Edgemoor Close, Beechwood, CH43 9XH
<b>Proposal:</b>	Erection of 2 bungalows and associated hard and soft landscaping.
<b>Applicant:</b>	Mr Ian Welsh
<b>Agent :</b>	Mr Lee Whittingham LJ Architects Ltd

<b>Qualifying Petition</b>	Yes. A petition with 88 signatures has been submitted in objection to the proposal to save the green space that is used by locals all year round. The petition was not however submitted within the specified consultation period and so is not the reason why this application is deferred to planning committee.
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<b>Development Plan designation:</b>	Primarily Residential Area
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<b>Planning History:</b>	No recent relevant planning history.
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**Summary Of Representations and Consultations Received:**

<b>1. Ward Member Comments</b>	Ward Councillor Elizabeth Grey has requested that the application be taken out of delegation on the grounds that the plans involve loss of amenity space that residents use now and have been using for years. It is acknowledged that this was previously developed land, but residents were under the impression that it couldn't be developed for housing due to underground utilities and so considered that it was safely secured as open space. This area suffers significant anti-social behaviour and gang crime. Residents do not allow children out to play if they cannot be seen from the window and this space is clearly visible from local houses. They will not allow children to play further away such that they will be trapped indoors.
<b>2. Summary of Representations</b>	<p><b><u>REPRESENTATIONS</u></b></p> <p>A petition with 88 signatures has been submitted in objection to the proposal to save the green space that is used by locals all year round.</p> <p>United Utilities have commented on the application regarding drainage, water and wastewater services and their property, assets and infrastructure.</p>

	<p><b><u>CONSULTATIONS</u></b></p> <p><u>Highways Asset</u></p> <p>No objection with condition and informative.</p> <p>Condition:</p> <p>Prior to the commencement of the development, a full scheme of works for the reinstatement to standard footway levels of any existing vehicle accesses from the highway that are rendered obsolete by the development shall be submitted and approved in writing by the LPA. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme.</p> <p>Informative:</p> <p>"Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. 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 <a href="http://www.wirral.gov.uk">www.wirral.gov.uk</a> prior to the commencement of the works for the approval of the proposed details."</p> <p>Informative:</p> <p>A pre-site inspection is required prior to the development works commencing with the LA- any damage to the existing highway</p>
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	<p>that occurs as a result of the development would require reinstatement, at the developer's expense, to the LA specifications and written approval. For further details contact Highways &amp; Infrastructure, area manager via <a href="http://www.wirral.gov.uk">www.wirral.gov.uk</a></p> <p><u>Traffic and Transportation</u></p> <p>No objection.</p> <ul style="list-style-type: none"> <li>• The proposals are all contained within a private boundary and do not impact on the adopted highway to any great extent.</li> <li>• The level of proposed on-site car parking is in accordance with the SPD4 maximum standards.</li> <li>• The proposals include new vehicle accesses on Fifth Avenue and footway reinstatements to the existing access on Edgemoor Close, this will require prior approval from Wirral Highways and appropriate traffic management agreed.</li> <li>• The loss of the garages is accepted as there remains satisfactory parking within the area in the surrounding roads which are generally unrestricted.</li> <li>• It's unlikely that the proposals for the two bungalows will generate a significant level of traffic and it is therefore considered to have no material impact on the highway, as such there are no objections to the proposals.</li> <li>• The necessary changes to the Fifth Avenue footway to introduce the vehicle accesses and the reinstatement on Edgemoor Close will require the prior approval from Wirral Highways and the following informative is applicable.</li> </ul> <p>"Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. 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 <a href="http://www.wirral.gov.uk">www.wirral.gov.uk</a> prior to the commencement of the works for the approval of the proposed details."</p>
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<p><b>3.1 Site and Surroundings</b></p>	<p>The application relates to a grassed piece of land located on a corner plot between the vehicular highways of Fifth Avenue to the north and Edgemoor Close to the west. There is an electrical substation located to the east of the site. There are rows of two storey terraced houses to the south, east and west of the site. Opposite the site is a community centre. There is a footpath to the east and south of the site.</p> <p>The site originally consisted of nineteen lock up garages for</p>
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	<p>the surrounding housing, before being demolished and converted into a grassed area at some point between 1997 and 2005.</p>
<p><b>3.2 Proposed Development</b></p>	<p>The application proposes the construction of two semi-detached bungalows (two bedrooms) with associated hard and soft landscaping.</p> <p>Hard landscaping includes: -</p> <ul style="list-style-type: none"> <li>- Installation of 1.8m high close boarded timber fencing to bound the proposed rear gardens of the bungalows.</li> <li>- Installation of 0.9m high timber picket style fencing to bound the front gardens of the site.</li> <li>- Installation of concrete paving to provide paths around the external walls of the bungalows.</li> <li>- Installation of permeable tarmac to form the vehicle accesses and an access and maintenance zone around the electricity substation.</li> </ul> <p>The redundant vehicle access to the west of the site on Edgemoor Close, redundant following the demolition of the former lock-up garages on the site, is proposed to be reinstated to adoptable standards. Dropped kerbs are proposed to the north of the site off Fifth Avenue to provide access to both the proposed bungalows and the electricity substation.</p>
<p><b>3.3 Development Plan</b></p>	<p>Under the provisions of Section 70(2) of the Town and Country Planning Act 1990, Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the provisions of the NPPF (paragraph 2), applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.</p> <p>The adopted development plan (as is relevant to this proposal) is the Wirral Unitary Development Plan (2000) (hereafter referred to as the 'UDP') and the Joint Waste Local Plan for Merseyside and Halton.</p> <p>Relevant policies of the UDP are:</p> <p><u>Policy HS4 - Criteria for New Housing Development</u></p> <p>This policy requires that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area or to the amenity of neighbouring properties.</p> <p>HS4 Criteria for New Housing Development Policy states that proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:</p> <ul style="list-style-type: none"> <li>(i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;</li> </ul>

- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- (iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;
- (v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- (vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- (vii) the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

GR5 Landscaping and New Development Policy

In order to secure the protection and enhancement of visual amenity the Local Planning Authority will require applicants to submit full landscaping proposals before full planning permission is granted. Proposals should:

- (i) include a clear specification of landscaping proposals indicating the species mix, the location, height and density of new planting, as well as areas of new ground modelling or other land features proposed;
- (ii) be appropriate in terms of the nature and location of the development proposed, the visual prominence of the site, the potential visual impact of the development and the character of the surrounding area;
- (iii) provide for new planting and for the protection, replacement or enhancement of existing features such as ponds, trees, bushes, shrubs or hedges including, where relevant, appropriate boundary treatment and provision for the protection of wildlife; and
- (iv) take full account of the effect of proposals on visibility at access points, the effect of local climatic influences and the potential for misuse or erosion which may affect the appropriateness of landscaping proposals.

	<p>Layouts that would leave landscaped areas which are not easily supervised or which would prejudice the supervision of other sensitive areas of the site will be resisted.</p> <p>Planning permission will be subject to conditions relating to the protection of existing features specified for retention, the timing and aftercare of new planting including provision for the replacement of stolen, damaged, diseased or dead plants or trees throughout the period until newly planted stock is established and capable of normal unaided growth.</p> <p><u>Policy TR9 – Requirements for Off Street Parking</u></p> <p>This policy requires the assessment of off-street parking provision to be guided by a number of considerations, including the availability of alternative modes of transport, road safety and traffic management issues.</p> <p>SPD4 (Parking Standards) sets out maximum limits for vehicle parking spaces.</p> <p>Relevant policies of The Joint Waste Local Plan for Merseyside and Halton are:</p> <p><u>Policy WM8 Waste Preventing and Resource Management</u></p> <p>Requires development to incorporate measures for achieving efficient use of resources</p> <p><u>Policy WM9 Sustainable Waste Management Design and Layout for New Development</u></p> <p>Requires development to provide measures for waste collection and recycling, including home composting.</p>
<p><b>3.4 Other Material Planning Considerations</b></p>	<p>National Planning Policy Framework (2021)</p> <p>National Planning Policy Guidance</p> <p><u>Supplementary Planning Document 4 (SPD4) – Parking Standards</u></p> <p>This document sets out maximum limits for vehicle parking spaces.</p> <p><u>The Emerging Local Plan</u></p> <p>Wirral Borough Council has submitted the Wirral Local Plan 2021-2037 for examination.</p> <p>On the 21 March 2022 full council approved publication of the Draft Local Plan Under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The plan was published in May 2022 and representations were available to be submitted until 25<sup>th</sup> July 2022. The Local Plan was submitted to the Secretary of State on the 26<sup>th</sup> October 2022. The local plan and supporting evidence base can be viewed online at <a href="http://www.wirral.gov.uk/lpexam">www.wirral.gov.uk/lpexam</a></p> <p>As the Wirral Local Plan has been submitted for examination it (and the supporting evidence base) is a material consideration and can be afforded weight in the decision-making process. In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:</p>



	<p>“Local planning authorities may give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> <li>• the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</li> <li>• the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</li> <li>• the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”</li> </ul> <p>Within the emerging Local Plan the site is designated within the Birkenhead to Eastham Conurbation Primarily Residential Area and Transit Area Residential Density Zone, as well as within the Suburban Birkenhead Settlement Area 3.</p> <p><b>Applications for New House Building</b></p> <p><u>Main policy:</u> Policy WS 3 Strategy for Housing includes design standards, density, mix and affordable housing</p> <p><u>Other supporting policies:</u> Policy WP3 Suburban Birkenhead Policy WS 7 Principles of Design, includes Privacy and Amenity and Parking Policy WS 6 Placemaking for Wirral Policy WS 10 Infrastructure Delivery Policy WS 5.1 Green and Blue Infrastructure Networks Policy WS 5.2 Open space provision Policy WS 5.3 Outdoor sports provision Policy WS 5.5 Mitigating recreational disturbance Policy WS 8 Strategy for Sustainable Construction Policy WD 1 Landscaping including trees</p>
<p><b>3.5 Assessment</b></p>	<p>The main issues pertinent in the assessment of the proposal are;</p> <ul style="list-style-type: none"> <li>- Principle of Development;</li> <li>- Design;</li> <li>- Highways; and</li> <li>- Amenity.</li> </ul>
<p><b>3.6 Principle of Development</b></p>	<p>The site is located within a Primarily Residential Area in both the Unitary Development Plan and the emerging local plan. The proposal is not designated as green, open, sport or recreation space in either of the plans.</p> <p>Policy GR6 Greenspace Within New Family Housing Development would not apply in the case of this proposal because the proposal is for less than 35 houses.</p> <p>When excluding the access and maintenance zone for the</p>

substation, the site available on site for housing provision is approx. 516 square metres. Within the transit area residential density zone (urban sites within 800m (10 min walk) of a railway station or high frequency bus route) of the emerging local plan, a minimum density of 60 dwellings per hectare is required by policy WS 3.2 Housing Density which equates to a minimum of one dwelling per 200 square metres as a minimum. The proposal for the provision of 2 bungalows on the site therefore complies with the minimum density of housing required by policy WS 3.2.

Policy WS3.4 Housing Mix of the emerging local plan states that outside identified Regeneration Areas, a minimum of 70% of dwellings will be developed for larger dwelling or three or more bedrooms. It goes onto state that the following criterion will be taken into account when assessing whether sites are capable and suitable for accommodating larger dwellings: whether alternative provision would meet another aim of the Council, such as provision for elderly persons (including bungalows) and a proportion of the site can still be developed as family housing.

Two-bedroom bungalows are proposed, which could be used to the meet the housing needs of the older population. A proportion of the site would not still be developed as family housing. However, the proposal is acceptable in principle under the Unitary Development Plan and the principle of the development of the proposal does not benefit from a change in land designation under the emerging local plan. The proposal will provide the benefit of additional housing supply, including which could be used to meet the needs of the older population. Whilst the emerging Local Plan is afforded weight, compliance with this emerging Local Plan policy in this case is considered to be unreasonable to require, given compliance with the relevant policies contained in the UDP.

In this case therefore the proposal is considered to be acceptable in principle.

### **3.7 Design**

The plans have been amended with the following to improve the design of the proposal relative to the original application: -

- Reduce the height of the rear garden boundary fencing from 2.1m to 1.8m so that the height of the fencing will not appear visually overbearing.

- The labelling of the materials of the walls has been amended from a red facing brick to an Old forge brick by Lagan. This brick is a mix of red and brown to better relate to the context of the site which is brown bricks to the houses to the south, east and west of the site and red brick of the community centre building located opposite to the front of the proposed bungalows.

- Low level feature shrub planting is proposed to the boundary of the front of the site to improve the soft landscaping

proposed.

- Installation of 0.9m high timber picket fencing to the front gardens of the site to give more interest to the landscaping and be more in keeping with the boundary treatment of the surrounding housing as well as better definition between the public and private realm.

- Not by amendment request: after further correspondence between the applicant and the network operator of the substation, the access and maintenance zone surrounding the substation has been increased in size to include the south east corner of the site also.

The boundary treatments of 1.8m high timber fencing to the rear garden boundaries and 0.9m high picket fencing to the front garden boundaries will be in-keeping with the existing boundary treatments of the surrounding housing. The use of white upvc windows and doors, the brick choice, the use of concrete roof tiles and the use of a pitched roof will also relate the proposal to its context. To ensure the materials will be an appropriate finish, a condition is recommended for more specific brick and roof material details in the form of manufacturer's specifications.

Whilst the surrounding houses have dual pitched roofs, the proposed hipped roof will help to reduce the overall mass of the bungalows. The proposed bungalows will be read as a separate house type within the context whilst having cues to their context. Part of the community centre which faces the front of the proposal has a hipped roof and so this roof type is already present within the existing street scene.

The bungalows will not exceed the front building line of 22 Everleigh Close and will be well set back from the front building line of the electricity substation, helping to bridge the gap between the front building lines of 23 Edgemoor Close. Waste storage areas are appropriately proposed to be screened in the rear garden areas. There is sufficient space for both general and recyclable waste storage.

The area of the hardstanding will be partially enclosed by the proposed boundary fencing but I consider that there will still be sufficient natural surveillance of this area from the adopted footpaths, adopted vehicular highways and the first-floor windows of houses surrounding the site such that an insecure environment would not be formed as a result of the proposal. The main accesses to the proposed bungalows are appropriately sited to benefit from natural surveillance for the safety and security of future residents.

The network operator of the substation has stated that the amount of hard standing around the substation is the minimum required so that in the event of a substation failure a HIAB lorry can pull alongside to lift out and replace the transformer and switchgear within. The hard standing will have a functional appearance. However, it is considered that this is

	<p>outweighed by the benefit of this hardstanding in increasing the likelihood of better essential utility infrastructure provision in the case of a substation failure. The hardstanding will connect with the existing hardstanding of the footpaths to the east and south of the site and due its siting will not have an overly prominent impact on the street scene.</p> <p>The emerging local plan Policy WS 3.1 Housing Design Standards states that new build dwellings should be built to the standards of: -</p> <ul style="list-style-type: none"> <li>- higher water efficiency standards under Regulation 36(3) of the Building Regulations.</li> <li>- Be 'zero carbon ready by design'.</li> <li>- Accessible and adaptable in line with Part M4(2) of the Building Regulations.</li> </ul> <p>Whilst the emerging Local Plan can be afforded weight in the decision making process, the proposal complies with the policies of the Unitary Development Plan. The proposed development does not rely on a change in land designation under the emerging local plan to make it acceptable in principle. In this case the design of the proposal is therefore considered to be acceptable without evidence of compliance with the above standards.</p> <p>Overall, the proposal is considered to be acceptable in design terms and compliant with Policies HS4 and GR5 subject to the recommended conditions.</p>
<b>3.8 Highways</b>	<p>The proposal to reinstate to adoptable standards a path to the redundant footway to the west of the site from the former use of the site as lock-up garages is positive in both visual and accessibility terms. One off-street vehicle parking space of satisfactory dimensions will be provided per bungalow, which does not exceed the maximum vehicle parking standards of SPD4. The proposal would not have an unacceptable impact on highway safety or a severe impact on the road network. The proposal is acceptable with regards to highways and compliant with Policies HS4 and TR9 subject to the recommended conditions.</p>
<b>3.9 Living Conditions</b>	<p>The internal floorspaces proposed comply with the Nationally Described Space Standards, which is required by emerging local plan policy WS 3.1 Housing Design Standards. Satisfactory light, outlook and privacy will be provided to the bungalows and satisfactory private rear garden spaces will be provided. The proposed living conditions of the dwellings are acceptable and compliant with UDP policy HS4 and emerging local plan policy WS3.1.</p>
<b>3.10 Amenity</b>	<p>1 Edgemoor Close to the south of the site has no windows to its side elevation. The proposed front facing windows will face the community centre on the opposite side of the road. To the</p>

	<p>east of the site, there would be 20 metres between the rear elevations of 21 and 22 Everleigh Close and the side elevation of the proposed bungalows. To the west, there would be 16.5 metres distance between the front elevation of 23 Edgemoor Close and the side elevation of the proposal. These are satisfactory distances with regards to light and outlook. A condition is recommended for an obscure glazing condition to the side facing windows given that the distance between the side windows and the facing front elevation of 23 Edgemoor Close to the west and rear elevation of 21 and 22 Everleigh Close to the east is less than 21 metres. The proposed open plan living/kitchen/dining room of the bungalow would still have satisfactory access to outlook from the front and rear facing windows. Subject to the recommended conditions, the proposal will not have a detrimental impact on neighbouring residential amenity and the proposal is compliant with policy HS4.</p>
<p><b>3.11 Drainage</b></p>	<p>United Utilities have not stated that their utilities are under or in close proximity to the site, but have stated that they will not allow building in close proximity to a water main, public sewer or wastewater pipe. The agent is aware of this as a copy of United Utilities letter has been forwarded onto them. The relationship between the proposed development on United Utilities assets, property and infrastructure is a matter between United Utilities and the developer.</p> <p>The plans were amended to state that the tarmac will be permeable to reduce surface water run-off. In this case, it would be unreasonable to require additional information on drainage systems as the proposal is relatively minor and not a major development. Wirral's Local Validation List only requires a drainage strategy and Sustainable Urban Drainage Systems for major developments. The site is located within flood zone one (low probability of flooding) and is at very low risk from surface water flooding.</p>
<p><b>Summary of Decision (Planning Balance)</b></p>	<p>Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.</p> <p>Having regards to the individual merits of this application it is considered that the application is acceptable in planning terms 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:-</p>
	<p>The proposal is acceptable in principle. The proposal is considered to be of a scale and design that is acceptable to the</p>

character of the residential area and provides space for recyclable waste storage and collection. There are no significant impacts on the amenities of neighbours on every side. The proposal is not considered to result in loss of outlook, privacy, daylight or sunlight to neighbouring properties. The proposal will provide satisfactory living conditions to future residents. As such the proposal complies with the relevant policies of the adopted Wirral Unitary Development Plan and The Joint Waste Local Plan for Merseyside and Halton, SPD4, and the National Planning Policy Framework.

<b>Recommended Decision:</b>	Conditional Approval
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**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 26th July 2023 and listed as follows: P359.2\_202, P359.2\_203G, P359.2\_204, P359.2\_205A, P359.2\_206B, P359.2\_207B and P359.2\_208B.

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

3. Prior to the commencement of the development, a full scheme of works for the reinstatement to standard footway levels of any existing vehicle accesses from the highway that are rendered obsolete by the development shall be submitted and approved in writing by the Local Planning Authority. 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 accord with National Planning Policy Framework Chapter Promoting Sustainable Transport. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

4. Before any construction commences, details of the brick and roof 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. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

5. Details of the species mix, height and density of new planting shown on the approved plan ref. P359.2\_203G shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the proposed development. All planting, seeding and/or turfing comprised in the approved details and the approved landscaping of plan ref. P359.2\_203G shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and any shrubs or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:** To improve the appearance of the development and its contribution to biodiversity and the local environment and in accordance with Policy HS4 and GR5 of Wirral's Unitary Development Plan.

6. The hard landscaping scheme hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority.

**Reason:** In the interests of visual amenity and to comply with Policy HS4 and GR5 of the Wirral Unitary Development Plan.

7. The development shall not be occupied until the parking has been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

**Reason:** To provide on-site parking to ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the highway in accordance with Policy HS4 and TR9 of the Wirral UDP.

8. The western and eastern side facing windows of the approved bungalows shall be obscure glazed and non-opening (with the exception of an opening light 1.7 metres above the floor of the room in which the window is installed) and thereafter be permanently retained as such.

**Reason:** In the interests of privacy of neighbouring dwellings and in accordance with Policy HS4 and NPPF paragraph 130.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that order) no window shall be installed to the side elevations of the approved bungalows where facing the eastern front elevations of houses on Edgemoor Close and the western rear elevations of houses on Everleigh Close unless it is obscure glazed and non-opening (with the exception of an opening light 1.7 metres above the floor of the room in which the window is installed) and thereafter be permanently retained as such.

**Reason:** In the interests of privacy of neighbouring dwellings and in accordance with Policy HS4 and NPPF paragraph 130.

Notes to Applicant:

1. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. 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.

2. A pre-site inspection is required prior to the development works commencing with the LA- any damage to the existing highway that occurs as a result of the development would require reinstatement, at the developer's expense, to the LA specifications and written approval. For further details contact Highways & Infrastructure, area manager via [www.wirral.gov.uk](http://www.wirral.gov.uk)

<b>Last Comments By:</b>	12-04-2023
<b>Expiry Date:</b>	15-09-2023



## Planning Committee – Terms of Reference:

The principal role of the Planning Committee is to act as the administrative committee responsible for making decisions as local planning authority on planning applications, development control and similar regulatory matters, which are more particularly described as *Functions relating to town and country planning and development control* and related matters as set out at Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).

The Committee is charged by full Council to fulfil those functions:

- (a) to consider and determine applications submitted under the Planning Acts for planning permission, listed building consent, and reserved matters pursuant to major planning applications;
- (b) to consider and determine applications for the display of advertisements submitted under the Town and Country Planning (Control of Advertisements) (England) Regulations;
- (c) to determine whether prior approval applications for the construction, installation, alteration or replacement of telecommunications masts submitted under Part 24 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 should be granted or refused;
- (d) related matters including but not limited to:
  - (i) applications for 'hedgerow removal' (Hedgerow Regulations 1997, as amended);
  - (ii) applications to undertake works to trees subject to a Tree Preservation Order or within a Conservation Area (Town and Country Planning Trees Regulations 1999, as amended);
  - (iii) applications for remedial notices in respect of high hedges (Anti Social Behaviour Act 2003, as amended);
  - (iv) applications for Hazardous Substances Consent (Planning Hazardous Substances Act, 1990, as amended);
  - (v) the obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976;
  - (vi) powers related to Commons Registration;
  - (vii) functions relating to public rights of way;
  - (viii) the licensing and registration functions relating to the New Roads and Street Works Act 1991 and the Highways Act 1980; and
  - (ix) functions relating to Town and Village Greens;

- (e) to exercise any other function of the Council under the Planning Acts and related legislation, whether as a local planning authority or otherwise, which may be referred to it by the Director for Economic and Housing Growth or other officer authorised by him/her.