



Planning Committee

Date:	Tuesday, 24 April 2012
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Pat Phillips
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Website: <http://www.wirral.gov.uk>

1. MINUTES (Pages 1 - 8)

To receive the minutes of the meeting held on 27 Mar, 2012.

RECOMMENDED: That the minutes be received.

2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the committee 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.

3. REQUESTS FOR SITE VISITS

Members are asked to request all site visits before any application is considered.

4. APP/11/00430 - SILVERDALE RESIDENTIAL HOME, 49-51 EGERTON PARK, ROCK FERRY, CH42 4RA - CHANGE OF USE FROM RESIDENTIAL CARE HOME TO 13 APARTMENTS. (Pages 9 - 12)

5. APP/11/01286 - MORETON BRICKWORKS, CARR LANE, MORETON, CH46 5NB - VARIATION OF CONDITION 28 OF PLANNING DETERMINATION APP/2001/6405/D (FOR THE EXTRACTION OF CLAY), TO ALLOW AN ADDITIONAL 2 YEARS FOR THE SUBMISSION OF RESTORATION AND AFTERCARE SCHEMES (EXTENDED FROM 03 JANUARY 2012 TO 03 JANUARY 2014). (Pages 13 - 30)

6. **APP/11/01344 - KIRK FUNERAL DIRECTOR, 20 THE VILLAGE, BEBINGTON, CH63 7PR - CONSTRUCTION OF SINGLE STOREY EXTENSION FOR REFRIGERATION UNIT TO REAR OF THE PREMISES - AMENDED DESCRIPTION. (Pages 31 - 34)**
7. **OUT/11/01502 - CARLETT PARK, 1061 NEW CHESTER ROAD, EASTHAM - OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT FOR UP TO 55 RESIDENTIAL UNITS (USE CLASS C3). (Pages 35 - 50)**
8. **APP/11/00874 - THE CROFT RETAIL AND LEISURE PARK, WELTON ROAD, BROMBOROUGH, CH62 3PN - RECONFIGURATION OF THE FORMER BOWL UNIT, EXISTING IN-LINE UNITS AND PART OF THE EXISTING CINEMA UNIT TO CREATE A1 NON-FOOD RETAIL SPACE, AN A3 RESTAURANT AND A RECONFIGURED CINEMA UNIT (D2 USE), ALONG WITH REPLACEMENT OF THE FOUR IN-LINE UNITS BY THREE NEW UNITS WITHIN THE CAR PARK (A1(D) (THE SALE OF SANDWICHES AND COLD FOOD FOR CONSUMPTION OFF THE PREMISES), A3 AND A5 USE) AND ONE NEW UNIT AT THE SOUTHERN END.**

To be circulated separately.

9. **APP/11/01194 - 1 BASSENDALE ROAD, BROMBOROUGH, CH62 3QL - CHANGE OF USE TO BOWLING CENTRE FROM B2 TO D2.**

To be circulated separately.

10. **APP/12/00145 - 55 DUKE STREET, BIRKENHEAD, CH41 8BW - CHANGE OF USE OF VACANT PUBLIC HOUSE. GROUND FLOOR TO BE USED FOR OFFICES (USE CLASS B1), WITH 1NO. ROOM AT FIRST FLOOR LEVEL. HOUSES IN MULTIPLE OCCUPATION (USE CLASS C4), PROVIDING 6NO. BEDROOMS AT FIRST AND SECOND FLOOR. (Pages 51 - 56)**
11. **APP/12/00321- HOOSE COURT, MARKET STREET, HOYLAKE - ERECTION OF 32NO. 2 BEDROOM FLATS INCLUDING ASSOCIATED CAR PARKING AND LANDSCAPING. (Pages 57 - 62)**
12. **APP/12/00371 - BIRKENHEAD 6TH FORM COLLEGE, PARK ROAD WEST, CLAUGHTON, CH43 8SQ - NEW RECEPTION AREA AND ART BLOCK. (Pages 63 - 66)**
13. **APP/12/00204 - 80 DOWNHAM ROAD SOUTH, HESWALL, CH60 5SG - SINGLE STOREY SIDE EXTENSION FOR DEPENDENT RELATIVE. (Pages 67 - 70)**
14. **NATIONAL PLANNING POLICY FRAMEWORK (Pages 71 - 80)**

- 15. PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 15/03/2012 AND 15/04/2012. (Pages 81 - 98)**
- 16. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

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PLANNING COMMITTEE

Tuesday, 27 March 2012

<u>Present:</u>	Councillor	D Elderton (Chair)	
	Councillors	E Boulton W Clements P Johnson D Mitchell	S Kelly B Mooney J Salter J Walsh
<u>Deputies:</u>	Councillors	J Crabtree (In place of D Realey) P Hackett (In place of B Kenny)	

200 MINUTES

The Director of Law, HR and Asset Management submitted the minutes of the meeting held on Tuesday, 6 March 2012.

Resolved – That the minutes be received.

201 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 application on the agenda and, if so, to declare them and state the nature of the interest.

No such declarations were made.

202 REQUESTS FOR SITE VISITS

Members were asked to submit their requests for site visits before any planning applications were considered.

No such requests were made.

203 ORDER OF BUSINESS

The Chair agreed to vary the order of business.

204 NATIONAL PLANNING POLICY FRAMEWORK

The Development Control Manager, Regeneration, Housing and Planning Department, informed the Planning Committee that confirmation had been received that the new Planning Policy was effective from today. Members of the Committee had been provided with a copy of Annex 1 to the Policy document which set out information on the implementation of the Policy. Advice had been sought from the Department for Communities and Local Government and no matters on the agenda

for this meeting would be affected by the changes. It was confirmed that a copy of the new Planning Policy would be sent out to all members of the Committee and a report would be brought to a future meeting of the Planning Committee setting out the full implications of the Framework.

- 205 **APP/11/01176 - LAND NORTH OF KINGS PARADE, MARINE PROMENADE, NEW BRIGHTON - CHANGE OF USE OF UNIT 14, WALLASEY WATERFRONT RETAIL PARK AND LEISURE PARK FROM A3/A4 USE TO A1 PHARMACY.**

This item was withdrawn by the applicant.

- 206 **APP/11/01512 - BARLEYFIELD,PENSBY, WIRRAL CH61 5UX - ERECTION OF 8NO. FLATS AND 7NO. HOUSES, EXTENSION TO ROAD AND ASSOCIATED LANDSCAPING.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor Eddie Boulton it was:

Resolved (11:00) – That the application be approved subject to the following conditions;

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.**
- 2. Prior to the occupation of the development, hereby approved, a scheme for the provision of affordable housing to be provided, shall be submitted to and agreed in writing by the LPA. The scheme shall include the occupancy criteria to be used in determining the identity of prospective and successive occupier of the affordable housing and the means by which such occupancy can be enforced. The approved scheme shall be implemented in full and in perpetuity unless otherwise agreed in writing with the LPA.**
- 3. Before any construction commences, samples of the facing and roofing 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.**
- 4. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to first occupation, in accordance with the details so approved.**
- 5. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.**
- 6. The site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works**

commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

7. The approved hard and soft landscaping scheme 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. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

207 **APP/12/00029 - 35 ELTHAM GREEN, WOODCHURCH, CH49 5NQ - PROPOSED TWO STOREY SIDE/REAR EXTENSION AND SINGLE STOREY REAR EXTENSION.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor Pat Hackett it was:

Resolved (11:00) – That the application be approved subject to the following conditions;

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. Prior to the extension being brought in to use, the windows in the north facing elevation of the two storey side/rear extension hereby permitted shall be obscurely glazed and non-opening to a minimum height of 1.7 metres from the internal finished floor level, and shall be retained as such thereafter.

208 **APP/12/00031 - SCOTTS COUNTRY PRODUCE, 12 BANKS ROAD, WEST KIRBY, CH48 4HB - CHANGE OF USE FROM A1 TO A5.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Peter Johnson and seconded by Councillor John Salter it was:

Resolved (11:00) – That the application be approved subject to a Section 106 Legal Agreement and the following conditions;

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. A suitable noise insulation scheme between the ground floor and the first-floor residential accommodation shall be submitted to and approved in

writing by the Local Planning Authority prior to the commencement of the use hereby approved. The approved scheme shall be implemented in full, prior to the use commencing, and retained as such thereafter.

3. A suitable scheme of fume extraction shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby approved. The approved scheme shall be implemented in full prior to the use commencing and retained and operated as such thereafter.

4. Trading at the premises shall only take place between the hours of 11:00 and 23:00 Monday to Sunday, including Bank Holidays.

209 APP/12/00101- CHETWYND HOUSE, WEXFORD ROAD, OXTON - PART CHANGE OF USE OF CHETWYND TERRITORIAL ARMY BARRACKS TO INCORPORATE A TEMPORARY FIRE STATION FOR THE DURATION OF THE RE-DEVELOPMENT OF THE EXISTING BIRKENHEAD FIRE STATION (PROGRAMMED FOR 13 MONTHS) AND SITING OF A TEMPORARY PORTAKABIN.

This item was withdrawn by the applicant.

210 APP/11/01501 - 22 BROUGHTON AVENUE, WEST KIRBY, CH48 5ER - ERECTION OF A TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION WITH INTERNAL ALTERATIONS.

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

A petitioner addressed the meeting.

A ward Councillor addressed the meeting.

On a motion by Councillor Dave Mitchell and seconded by Councillor Stuart Kelly it was:

Resolved (8:3) – That the application be approved subject to the following conditions;

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 6th February 2012.

211 APP/11/01538 - 63A ARGYLE STREET, BIRKENHEAD, CH41 6AB - CHANGE OF USE FROM FORMER OFFICE BUILDING TO MULTIPLE OCCUPANCY BUILDING.

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Eddie Boulton and seconded by Councillor Peter Johnson it was:

Resolved (11:00) – That the application be refused on the grounds that;

The proposed development is unacceptable due to insufficient outlook from sole bedroom windows and lack of privacy. The proposal therefore does not comply with Wirral's adopted UDP Policies HS14 and having regard to SPD2.

212 **APP/12/00062 - OXTON VICARAGE, WEXFORD ROAD, OXTON, CH43 9TB - FIRST FLOOR SIDE/REAR EXTENSION ABOVE EXISTING GARAGE WITH INTERNAL AND EXTERNAL ALTERATIONS (AMENDED PLAN).**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor Pat Hackett it was:

Resolved (11:00) – That the application be approved subject to the following conditions;

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 2nd March 2012.

3. Prior to the extension being brought in to use, the windows in the north-west facing elevation of the two storey side/rear extension hereby permitted shall be obscurely glazed and non-opening to a minimum height of 1.7 metres from the internal finished floor level, and shall be retained as such thereafter.

213 **APP/12/00081- CHRIS PLUCK BETTING OFFICE, 61 OXTON ROAD, BIRKENHEAD, CH41 2TL - CHANGE OF USE FROM OFFICES ABOVE FORMER BETTING SHOP TO 2, TWO BEDROOM FLATS AND FRONT BOUNDARY WALL AND GATES.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Peter Johnson and Councillor Wendy Clements it was;

Resolved (11:00) – That the application be approved subject to the following conditions;

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. Prior to commencement of works full details of the vehicle access shall be submitted to and agreed in writing by the Local Planning Authority, the vehicle access shall be implemented as agreed prior to first occupation of the hereby approved upper floor flats.

3. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

214 **APP/12/00114 - 26 CROFT LANE, BROMBOROUGH, CH62 2DD - RETROSPECTIVE PLANNING PERMISSION FOR EXTENSION TO FRONT OF GARAGE.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Dave Mitchell and seconded by Councillor Eddie Boulton it was:

Resolved (11:00) – That the application be approved.

215 **APP/12/00139 - 1 BLUNDELLS DRIVE, MORETON, CH46 8SP - SINGLE STOREY REAR EXTENSION.**

The Acting Director of Regeneration, Housing and Planning submitted the above application for consideration.

On a motion by Councillor Peter Johnson and seconded by Councillor Dave Mitchell it was:

Resolved (11:00) – That the application be approved subject to the following condition;

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

216 **PLANNING APPEALS DECIDED BETWEEN 24/02/2012 AND 14/03/2012.**

The Acting Director of Regeneration, Housing and Planning submitted a report detailing Planning Appeals decided between 24/02/2012 and 14/03/2012.

Resolved – That the report be noted.

217 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 24/02/2012 AND 14/03/2012.**

The Acting Director of Regeneration, Housing and Planning submitted a report detailing applications delegated to him and decided on between 24/02/2012 and 14/03/2012.

Resolved – That the report be noted.

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Agenda Item 4

Planning Committee
24 April 2012

Reference:
APP/11/00430

Area Team:
South Team

Case Officer:
Mr K Spilsbury

Ward:
Rock Ferry

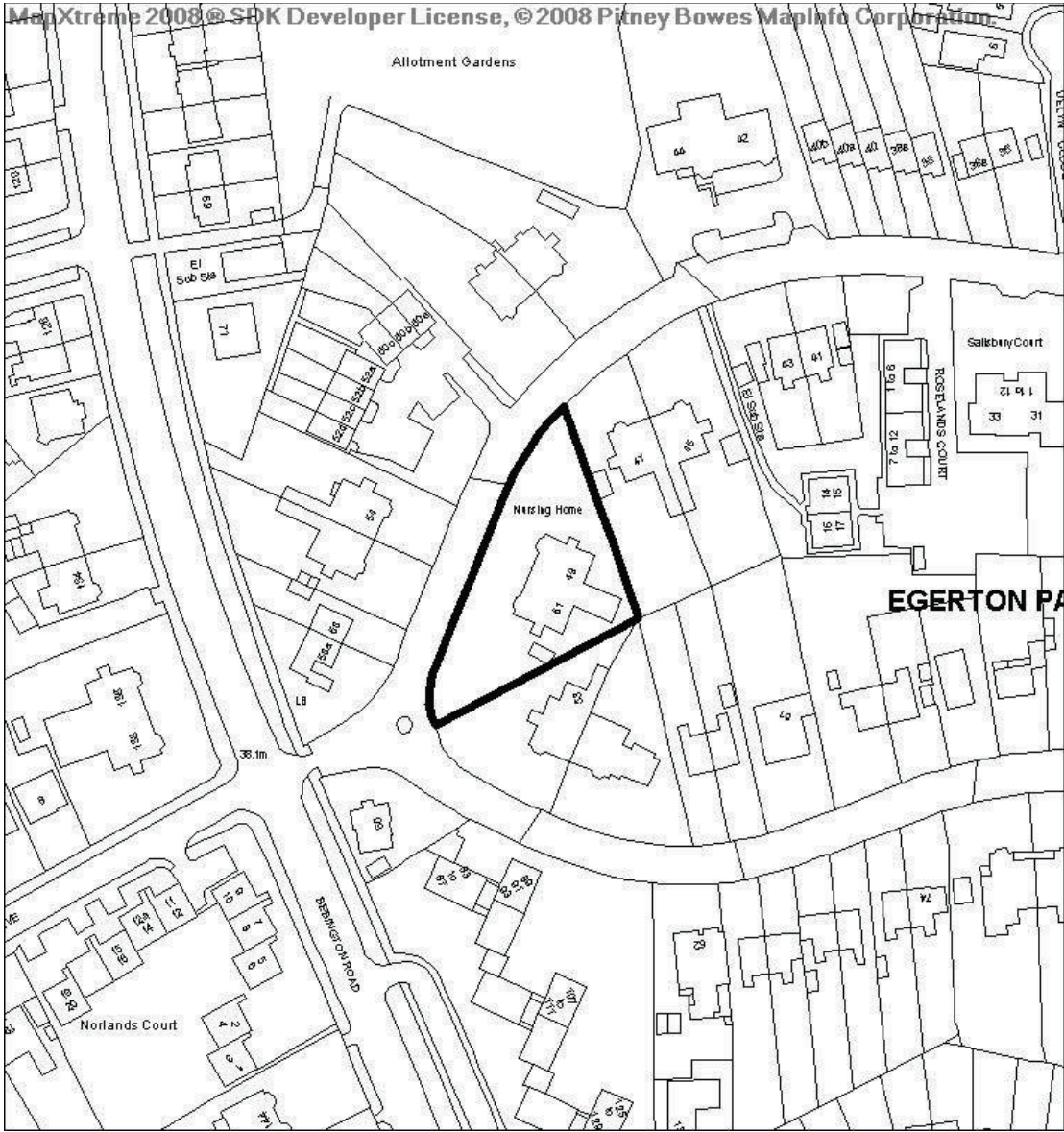
Location: Silverdale Residential Home, 49-51 EGERTON PARK, ROCK FERRY, CH42 4RA

Proposal: Change of use from residential care home to 13 apartments

Applicant: Inglewood Residential Home

Agent : GT Designz LTD

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

APP/79/13295 - Change of use to residential home for the elderly - Approved 03/01/80

APP/90/05937 - Erection of a conservatory at side - Approved 14/04/83

APP/98/06467 - Erection of a three storey side extension, single storey side, rear extensions and conservatory to front - Approved 13/11/98

APP/07/06407 - Erection of three storey side, single storey front and rear extensions to provide 17no. additional bedrooms with associated dayspace and improved laundry and kitchen provision (amended description) - Refused 14/09/07

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, 45 notifications were sent to adjoining properties. A Site Notice was also displayed outside the site. At the time of writing this report the following representations have been received:

1. Merseyside Cycling Campaign - objection, no cycle parking provision
2. 58a Egerton Park - Objection due to oversupply of flats in Egerton Park and car parking problems associated with an increase in residential properties.
3. 53 Egerton Park - Waste water generated by the flats will cause problems to the very old sewer system and additional traffic will cause problems to the existing road surface.

CONSULTATIONS

Director of Law, HR and Asset Management (Pollution Control Division) - no objections

Director of Technical Services (Traffic & Transportation Division) - no objections

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is defined as Major Development and is therefore required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

INTRODUCTION

The proposal is for the change of use from residential care home to 13 apartments.

PRINCIPLE OF DEVELOPMENT

The application site is allocated as a Primarily Residential Area and is located within the regeneration priority area identified by the Council for new housing development in the Interim Planning Policy for New Housing Development. As such the principle of the proposed development is acceptable.

RSS Policy LCR3 requires plans to focus residential development in the Inner Areas adjacent to the Liverpool City Region Regional Centre in order to secure a significant increase in population and to support major regeneration activity. Plans should support significant intervention where housing market restructuring is required. This is supported by the Council's Interim Planning Policy for New Housing Development which sets out support for residential schemes within the regeneration priority areas. As such the proposal is acceptable in principle, subject to UDP Policies HSG2 'Affordable Housing' and HS4 'Criteria for New Housing Development'.

SITE AND SURROUNDINGS

The site itself is currently occupied by large Victorian property of significant scale, visual prominence and character.

The surrounding area is predominantly residential in character consisting of large, 2-3 storey Victorian properties set within their own grounds. In addition there have also been some newer 1970s/80s developments constructed including the two storey terraced dwellings with integral garages, located opposite the site.

There are a number of mature trees running along the front boundary of the site and along both party boundaries which gives the area a wooded feel as well as providing screening from neighbouring properties and from the road. The road running around Egerton Park is un-adapted and access is gained via the existing pillared vehicle access from Bebington Road.

A vast number of surrounding properties have been converted into flats.

POLICY CONTEXT

The new National Planning Policy Framework published 27th March 2012 is now relevant, establishing the approach to be taken towards housing developments and the need to provide sustainable development. The Interim Planning Policy supports regeneration in priority areas and UDP policies HS13, HSG2, TR9, TR12 and Supplementary Planning Document 2 - Designing for Self Contained Flat Development and Conversions (SPD2) establish the policy context at the local level where it is stated that conversions should ensure privacy of neighbours; provide reasonable outlook for occupants of the development and recognises that conversions provide an important source of accommodation for households. SPD2 sets out guidance relating to design and layout of housing developments, the provision of affordable housing, landscaping and the approach to be taken to off road parking provision and highway safety.

AFFORDABLE HOUSING

UDP Policy HSG2, and the Council's Strategic Housing Market Assessment (SHMA, as updated), normally require that an element of affordable housing is provided in association with a Registered Social Landlord (RSL). In this instance, a financial assessment of the viability of developing the site including an element of affordable housing has been undertaken on the Council's behalf by Tweeds. The assessment concludes that there is very limited profitability in the development and that the provision of affordable housing is not viable. Given this, it is considered unreasonable to impose conditions or a section 106 agreement requiring the delivery of affordable units. Furthermore, the proposal will provide an acceptable re-use of the building

APPEARANCE AND AMENITY ISSUES

The proposal is for the conversion of an existing residential care home into 13 apartments.

There are only two minor elevational changes to the exterior of the building which are for the installation of new bedroom windows in the second floor side elevations of the building serving flats 10 and 13. All other alterations are internal. The proposed windows are not considered to result in any adverse impact upon surrounding properties in terms of residential amenity as there is no direct overlooking due the location of the property on a corner plot and the orientation of the neighbouring properties; 53 Egerton Park is set behind 49-51 and 47 is set in front.

As there are no other external alterations proposed, the development is considered acceptable in design terms. It is also considered that the conversion of the existing property into flats will provide a beneficial re-use of the building, which retains the residential character of the area.

Concerns have been raised by neighbouring residents with regard to the provision of more flats in the area and the impact upon traffic and sewerage.

Having consulted with the Director of Technical Services - Traffic Management Division is satisfied that the road network can accommodate the numbers proposed without detriment to highway safety. Therefore a refusal could not be sustained on highway safety grounds.

Concern regarding the impact upon the sewerage system is not a planning matter.

SEPARATION DISTANCES

As outlined above the proposed development would achieve the Council's separation distance guidelines, required by UDP Policy HS13 and set out in Supplementary Planning Guidance to existing properties. Separation distances of 14m between a habitable window and a blank gable, and 21m between the habitable windows of the flats whose principle elevations face existing properties

adjacent to the site are met.

HIGHWAY/TRAFFIC IMPLICATIONS

The Director of Technical Services Traffic Management Division has been consulted and states; an interrogation of the TRICS database indicates that the proposed application will generate equal numbers of traffic movements to the existing use as a residential care home. Therefore the application will not be subject to the standard condition requiring improvement to the Egerton Park junction with Bebington Road.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no significant environmental/sustainability issues relating to these proposals. The applicant has outlined that the development would achieve the requirements of Code for Sustainable Homes level 3 in addition to the requirements of Building Regulations Approved Document Part L.

CONCLUSION

The conversion of the existing property into 13 flats accords with relevant national, regional and local policies, including Policies HSG2, and HS4 of the Wirral Unitary Development Plan and SPD 2 - Designing for Self Contained Flat Development and is therefore recommended for approval.

Summary of Decision:

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

The proposed development for the conversion of the residential care home is not considered to result in a loss of amenity to adjacent properties or be detrimental to the general character of the area. The proposals meet the requirements of UDP Policy HS13 and SPD2.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 of the Wirral Unitary Development Plan

Further Notes for Committee:

Last Comments By: 26/05/2011 09:15:42
Expiry Date: 11/07/2011

Planning Committee

24 April 2012

Reference:
APP/11/01286

Area Team:
North Team

Case Officer:
Mr M Rushton

Ward:
Hoylake and Meols

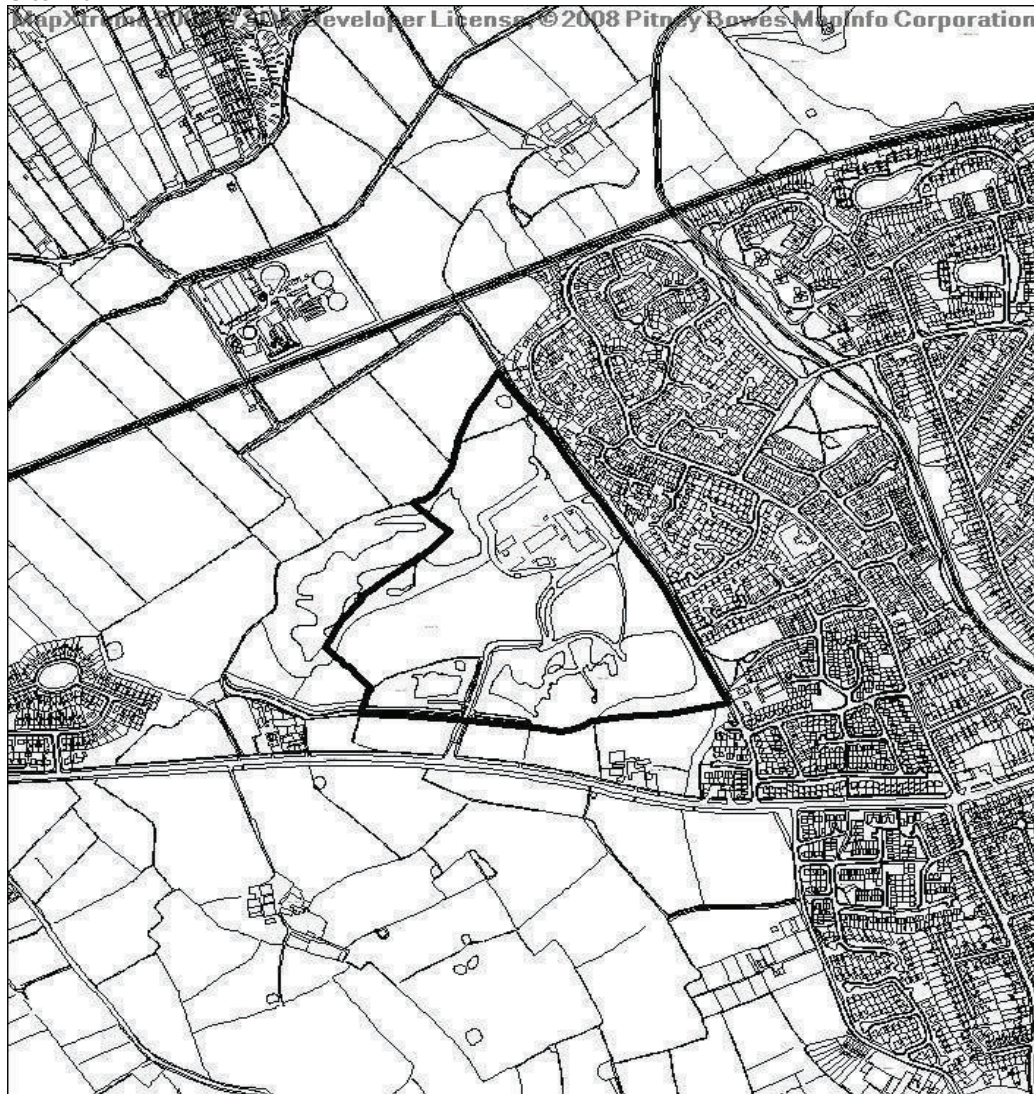
Location:
Proposal:

Moreton Brickworks, CARR LANE, MORETON, CH46 5NB
Variation of condition 28 of planning determination APP/2001/6405/D (for the extraction of clay), to allow an additional 2 years for the submission of restoration and aftercare schemes (extended from 03 January 2012 to 03 January 2014).

Applicant:
Agent :

Brock PLC

Site Plan:



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Development Plan Designation and Policies:

Green Belt
Area Requiring Landscape Renewal
Mineral Reserve

Planning History:

Interim Development Order permission no. 6663 for the extraction of clay – granted 1947.

Determination of conditions no. IDDOC/95/6338/D – determined 22/03/96.

APP/2001/6405/D – Variation of conditions of planning determination no. IDDOC/95/6338/D, conditions 1-47 to be replaced by new conditions 1-62 – approved conditionally 03/01/2002.

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

In accordance with the Council's Guidance on Publicity for Applications, 48 letters of notification were sent to adjoining properties and a Site Notice was displayed. A press notice was also placed in the Wirral Globe, in the week commencing 03rd January 2012. At the time of writing, 2 representations have been received from the occupiers of 7 Linear Park and 18 Earlswood Close, making the following comment:

1. The original timescale was set for a reason and the reason has not changed.

A non-qualifying petition of opposition has also been received, listing signatures from 10 separate households, listing concerns at past noise and vibration impacts from heavy plant and lorries using Carr Lane – it is requested that planning permission is refused to avoid similar disturbance in the future.

CONSULTATIONS

Director of Law, HR and Asset Management (Pollution Control Division) – no objection.

Director of Technical Services (Traffic and Transportation Division) – no objection.

Wirral Wildlife – no comments received.

Natural England – given the nature and scale of this proposal, raise no objection to the proposal being carried out in accordance with the terms and conditions of the application and submitted plans. It is expected that the LPA will assess and consider the possible impacts resulting from the proposal on protected species, local wildlife sites, and consider securing measures to enhance biodiversity.

Environment Agency - no objection in principle, but suggest that the Council should consider whether the variation of condition would have a knock-on effect on the achievement of early or progressive restoration of the site because there are a number of other conditions that in turn relate to Condition 28.

Wirral Society - express grave concern at the need for the time extension. The Society would have hoped that the site would be returned to a suitable state by now, and enquire what sanctions can be applied re the failure to meet the original timescale; what evidence the applicant is giving to prove that this extension will be adhered to; and suggest a performance bond to ensure compliance if the extension is granted.

Mersey Environment Advisory Service - advise that planning permission might be granted, but conditionally on carrying out appropriate surveys and submitting a revised Environmental Statement (ES). Milestones could be set for the completion of work on the ES (e.g. within 1 year) prior to submission of a new restoration and aftercare scheme after two years. Advise that an Environmental Appraisal required should include:

- a desktop study and consultation with Cheshire rECOrd to identify any records for protected and/or notable species, sites and habitats on or within 2km of the site;
- an Extended Phase 1 Habitat survey to identify the habitats present on and adjoining the site, with maps and target notes appended to the report, in accordance with methods set out in the JNCC Handbook for Phase 1 Habitat Survey;
- the potential for protected and/or notable species and any requirements for specialist surveys e.g. breeding birds, bats, water vole. Where specialist surveys are required, the report should identify when these surveys will be undertaken;
- identify any ecological impacts as a result of ongoing use or future site use and suggest measures for avoidance and/or mitigation;
- identify opportunities to maximise the contribution of the proposed development to biodiversity in line with the biodiversity duty set out in Sections 40 and 41 of the Natural Environment and Rural Communities Act (NERC) 2006 and the NPPF;
- identify any invasive species list on Schedule 9 of the Wildlife and Countryside Act 1981 as amended, present on the site or within 7m of the site boundary. The location and extent of any invasive species should be shown on a scaled plan included with the survey report.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Blakeley has requested this application be removed from delegation and considered by the Planning Committee on behalf of local residents, given concerns that the application will potentially have a detrimental effect on the amenity that residents who live in the ward would otherwise enjoy.

In addition, the application seeks variations to a Major Development and is therefore required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

INTRODUCTION

This is not an application to extract clay. The proposal seeks a variation of a planning condition imposed on a previous grant of permission, reference APP/2001/6405/D. That permission in turn was an application to vary conditions which applied to an existing planning permission for clay extraction which had already been implemented. The original planning permission for clay extraction was granted in 1947, permission no. 6663, with 'modern' operating and restoration conditions being determined and applied in 1996 (under reference IDDOC/95/6338/D) as a result of legislation which required the imposition of such conditions to very old mineral extraction permissions.

The condition for which a variation is sought required the submission of restoration and aftercare schemes to the Mineral Planning Authority for its approval in writing within 10 years of the grant of permission APP/2001/6405/D (i.e. by 03/01/2012, since that permission was granted 03/01/2002). The variation sought would allow a further two years for the submission of restoration and aftercare schemes.

It should be noted that the existing permissions at the site permit the winning and working of materials at the site until 21 February 2042.

The existing wording for condition 28 to APP/2001/6405/D is:

Within 10 years of the date of this determination or, in the event of an appeal being lodged against this determination, within 10 years of final determination restoration and aftercare schemes shall be submitted to the mineral planning authority for its approval in writing.

If schemes have not been submitted within the period specified in this condition the winning and working of mineral from the site shall cease until such time as schemes have been submitted. If schemes have not been approved by the mineral planning authority within six months of them having been submitted the winning and working of minerals shall cease unless and until an appeal against such failure to approve has been made to the Secretary of State and unless that appeal is still current and undecided. In such an eventuality the winning and working of minerals shall cease if the appeal is dismissed and it shall not recommence until schemes have been approved, except if part of the 10 year period in which schemes may be submitted remains unexpired, in which circumstance, the mineral extraction activity may continue for the unexpired period.

Reason: *In the interests of proper site restoration and afteruse.*

The variation sought is to delay the requirement for a restoration scheme to be submitted for a further two years, i.e. by the date 3rd January 2014. The reworded condition might read:

By no later than the 3rd January 2014 restoration and aftercare schemes shall be submitted to the mineral planning authority for its approval in writing.

If schemes have not been submitted by this specified date the winning and working of mineral from the site shall cease until such time as schemes have been submitted. If schemes have not been approved by the mineral planning authority within six months of them having been submitted the winning and working of minerals shall cease unless and until an appeal against such failure to approve has been made to the Secretary of State and unless that appeal is still current and undecided. In such an eventuality the winning and working of minerals shall cease if the appeal is dismissed and it shall not recommence until schemes have been approved, except if the date of 3rd January 2014 has not passed, in which circumstance, the mineral extraction activity may continue until that date.

Reason: *In the interests of proper site restoration and afteruse.*

It should be noted that other conditions within the permission granted secure the subsequent implementation of the restoration and aftercare schemes (condition 29) and the scope of the restoration scheme (condition 30). Condition 29 requires that the restoration scheme referred to in condition 28 is carried out and completed within 2 years of the cessation of working or such other period as may be approved in writing by the mineral planning authority.

PRINCIPLE OF DEVELOPMENT

The principle of the use of the land is established by the previous grants of permission, detailed in the above introduction to this report. The proposal seeks a variation of a planning condition imposed on a previous grant of permission, reference APP/2001/6405/D.

SITE AND SURROUNDINGS

The application site is the majority of the site known as North Wirral Brickworks, though other parts of the quarry subject to later permissions are not included. The land has been worked for clay, and includes a number of un-restored clay workings supporting large water bodies; a series of buildings formerly used for brickworks; and a large former brick storage area. The site lies in the Green Belt, in close proximity to residential properties and the Birkenhead to West Kirby rail line. Meols Meadow SSSI is in close proximity to the north.

POLICY CONTEXT

The application site at Carr Lane, in addition to land further to the north, is identified as a mineral reserve in Wirral's UDP under Policy MI1 – The Control of Clay Extraction. The policy outlines that the Local Planning Authority will control and monitor the extraction of clay within the Borough to ensure that any adverse environmental impact is minimized. The supporting text to the application notes that the Carr Lane site includes small amounts of winnable clay, with 23 hectares in active working or restoration, and a further 19 hectares reserved for future working.

The National Planning Policy Framework requires Minerals Planning Authorities, in preparing Local Plans and determining planning applications to ensure worked land is reclaimed at earliest opportunity and that high quality restoration and aftercare of the minerals site takes place to high environmental standards.

The proposal is not for additional working, rather it is for the variation of a condition which requires the submission of a restoration and aftercare scheme and would now prevent the winning and working of mineral from the site. The applicant's supporting letter outlines a rationale for delay of the submission of the scheme - i.e. in order that it would fully take into account the soon to be published Local Development Framework and Waste Development Plan (DPD). The logic as presented is not accepted as a clear rationale for the delay of submission of a restoration and aftercare scheme, and there is benefit to seeing such matters considered at the earliest opportunity. That said, it is not considered that there are reasonable grounds to refuse permission for a short (2 year) delay in the submission of a restoration scheme. No variation has been sought to those conditions which would require implementation of restoration works, so it is considered that restoration can still be secured at the earliest opportunity following the cessation of workings.

The grant of a variation also permits consideration of conditions imposed. During the ten years that have elapsed since the grant of planning permission in January 2002, it is considered that: environmental conditions on the site are likely to have changed substantially; the baseline information in the Environmental Statement has become outdated; regulatory changes have come into force, and; flood risk data has changed in the vicinity. These factors present a clear logic for the need to secure new ecological and environmental survey information for the site, to inform restoration and aftercare schemes. The permission granted in 2002 does not include a specific mechanism to secure such work - the grant of permission for a variation of condition 28 would present the opportunity to secure the completion and submission of important ecological and environmental surveys. A further condition, no. 63 is therefore proposed to secure appraisal information within 12 months, should permission be granted.

APPEARANCE AND AMENITY ISSUES

It is not considered that there are amenity or appearance issues presented by the variation of condition sought.

SEPARATION DISTANCES

The Council's adopted separation distances are not relevant in this instance, given the nature of the variation sought.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no significant highway safety or traffic management implications arising from the application. The Director of Technical Services (Traffic and Transportation Division) has raised no objection to the proposed variation.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no significant environmental/sustainability issues relating to this application.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed variation does not conflict with the provisions of the NPPF or Unitary Development Plan Policy MI1, and it is not considered that there are reasonable grounds to refuse permission for a delay in the submission of a restoration and aftercare scheme.

Summary of Decision:

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

The proposed variation does not conflict with the provisions of the National Planning Policy Framework or Unitary Development Plan Policy MI1, and it is not considered that there are reasonable grounds to refuse permission for a delay in the submission of a restoration and aftercare scheme.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The winning and working of minerals shall cease not later than 21 February 2042.

 Reason: In accordance with the Planning and Compensation Act 1991.

2. No vehicles, plant or equipment shall be parked or stored on the site except those belonging to members of staff or associated with brick making, clay excavation, restoration operations, or aftercare operations on the site.

 Reason: To prevent inappropriate development in the green belt.

3. All vehicles used for the transportation of clay from any part of the site to the on site brick manufacturing factory shall use internal site roads only and clay intended for that factory shall not be transported outside the site.

 Reason: In the interests of highway safety and residential amenities.

4. Access to and from the site for all purposes connected with the winning and working of minerals, including restoration and operations and the removal of clay from the site shall be directly from Birkenhead Road only.

 Reason: In the interests of highway safety and residential amenities.

5. Within six months of the date on which the new conditions are finally determined in accordance with the provisions in Section 22 and Schedule 2 of the Planning and Compensation Act 1991, a notice board shall be erected at the site entrance with Birkenhead Road, indicating the name and telephone number of the operating company and representative of the operators

The notice board shall be maintained in sound and legible condition throughout the period of working, restoration and aftercare.

Reason: In the interests of safety and site monitoring.

6. Water from the site shall be discharged into approved settlement ponds before discharging into any ditch, stream, watercourse or culvert outside the site. From the commencement of the development until restoration of the site, mud and silt must be removed from the settlement ponds to avoid reducing their capacity for retaining water.

Facilities shall be made available in order to provide extra treatment where necessary (eg addition of coagulant) and shall be used so that any discolouring effect of the discharges is controlled to a level acceptable to the mineral planning authority.

Upon cessation of mineral extraction, all settlement ponds shall be emptied and filled with dry, inert material of a type to be agreed beforehand in writing by the mineral planning authority unless the ponds are to be retained as part of the approved restoration scheme for the site.

Reason: To prevent pollution of watercourses and ground water.

7. Before any further winning and working of minerals takes place the signs shown on submitted drawing 000/003/A2C concerning directions for vehicular traffic shall be erected and shall be retained until the completion of restoration of the site. Details of the size of the signs shall be submitted to and approved in writing by the mineral planning authority before they are erected. Letters on the signs shall have a minimum height of 50mm. and the signs shall contain a border around the outside of the words of 75mm. minimum width. No sign shall be erected less than 1 metre above ground level and shall not exceed a total height of 2.5 metres above ground level.

Reason: In the interests of highway safety.

8. A minimum of 8 metres of unexcavated land shall be left undisturbed around the perimeter of the site where it adjoins:

(a) Carr Lane and

(b) Any areas of land that have not been the subject of mineral extraction.

Reason: To provide space for remedial works and gas monitoring boreholes and to protect existing hedges.

9. A minimum distance of 50 metres shall be maintained between any dwelling and the nearest mineral extraction area.

Reason: To protect residential amenities.

10. The maximum depth of extraction shall be 12 metres below ordnance datum, as indicated on the applicant's submitted plan No 333/109.

Reason: For the avoidance of doubt and in accordance with the proposals made by the applicant.

11. Parking, loading and unloading shall only take place in the areas referred to in submitted drawing no. 000/003/A2C.
- Reason:** In the interests of amenity and proper site operation.
12. Notwithstanding Part 19 of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), planning permission shall be required under Part III of the Town & Country Planning Act 1990 for the erection, or resiting of any building, plant or machinery or structure or erection of the nature of plant and machinery.
- Reason:** To enable the mineral planning authority to retain control over potentially intrusive development in the green belt.
13. Stockpiles of mineral shall not be located within areas 10, 11 and 12 as shown in submitted plan 000/003/A2C and any stockpiles shall be no higher than the nearest unexcavated land or perimeter screen mounds if the stockpiles are closer to such mounds. For the avoidance of doubt the term mineral in the context of this condition excludes top soil or subsoil.
- Reason:** In the interests of visual amenity.
14. No topsoil or subsoil shall be removed from the site.
- Reason:** To preserve any suitable remaining on site materials for site restoration.
15. Save for pumping operations which may be necessary in connection with operations required by condition 6 operations authorised by the planning permissions and this determination, including the movement of heavy vehicles and plant within the site and heavy goods vehicles and plant entering and leaving the site shall be restricted to the following periods:-
- 07.00 to 19.00 hours Monday to Fridays
07.00 to 13.00 hours Saturdays
- Maintenance, servicing and testing of plant and vehicles required in the operation of the site shall be restricted to the following periods:-
- 06.30 to 19.30 hours Mondays to Fridays
06.30 to 17.30 hours Saturdays
- No operations or maintenance, servicing and testing of plant and vehicles shall take place outside these hours or on Sundays or Public Holidays except with the prior written approval of the mineral planning authority.
- Reason:** To protect nearby residents from excessive noise.
16. No landscape earthworks authorised by this determination within 8 metres of the site perimeter shall be carried out except between the hours of 08.30 and 17.00 Mondays to Fridays inclusive, unless otherwise agreed in writing with the mineral planning authority. No landscape earthworks shall take place on Saturdays, Sundays, Bank or Public Holidays.
- Reason:** To protect nearby residents from excessive noise.

17. The base of all storage mounds shall be located a minimum distance of four metres away from any existing hedge or tree on the perimeter of the site.

Reason: To protect existing hedges and trees.

18. Existing wheel cleaning equipment shall be maintained and shall remain positioned in its existing location shown on Working Plan No. 000/003/A2C.

Reason: In the interests of highway safety.

19. All heavy goods vehicles leaving the site shall have their wheels cleaned by the equipment referred to in condition 18 or such other equipment as may be approved by the Mineral Planning Authority.

Reason: In the interests of highway safety.

20. At all times when the site is operational, a water bowser or similar for the suppression of dust on all internal roads and areas crossed by heavy goods vehicles and plant shall be available within the site and shall be kept in full working order. The equipment shall be used as may be necessary to water areas within the site, so as to prevent the raising of dust.

Reason: To minimise the nuisance from dust.

21. Any existing internal roads shall be maintained and kept suitably hard surfaced with quarried limestone, brick hardcore, furnace slag, crushed concrete, tarmac or other materials agreed beforehand in writing with the Mineral Planning Authority. Any new internal roads shall be similarly treated before they are brought into use.

Reason: To minimise the nuisance from dust.

22. Noise levels from soil replacement or baffle mound formation, shall not exceed 70 dBL Aeq (1 hour) (freefield) measured at 1 metre from the facade of any house. Such operations shall not exceed a total of 8 weeks in any 12 month period and shall only take place between 08.30 and 17.00 hours Monday to Friday.

Reason: To protect nearby residents from excessive noise.

23. Other than those operations and restrictions referred to in condition 22 noise from the operations and any associated activities shall not exceed the following level when measured at 1 metre from the facade of any house:-

55 dBL Aeq (1 hour) (freefield) between

08.00 and 19.00 hours Mondays to Fridays and
08.00 and 13.00 hours Saturday

Reason: To protect nearby residents from excessive noise.

24. Between 06.30 and 08.00 hours and between 19.00 and 19.30 hours Monday to Friday and on Saturday between 06.30 and 08.00 hours and between 13.00 and 17.30 hours noise from the operations and any associated activities shall not exceed the following (measured as 1 hour Leq):-

a) 47 dBA at the nearest house in Cardus Close.

b) 53 dBA at any point 30 metres to the east of the site boundary to the north of the brickwork buildings.

c) 48 dBA at the nearest house in Barn Hey Crescent.

Reason: To protect nearby residents from excessive noise.

25. All hedges and trees on the perimeter of the site shall be retained.

Reason: To protect trees and hedges.

26. By no later than the 3rd January 2014 restoration and aftercare schemes shall be submitted to the mineral planning authority for its approval in writing.

If schemes have not been submitted by this specified date the winning and working of mineral from the site shall cease until such time as schemes have been submitted. If schemes have not been approved by the mineral planning authority within six months of them having been submitted the winning and working of minerals shall cease unless and until an appeal against such failure to approve has been made to the Secretary of State and unless that appeal is still current and undecided. In such an eventuality the winning and working of minerals shall cease if the appeal is dismissed and it shall not recommence until schemes have been approved, except if the date of 3rd January 2014 has not passed, in which circumstance, the mineral extraction activity may continue until that date.

Reason: In the interests of proper site restoration and afteruse.

27. The restoration scheme referred to in condition 26 shall be carried out and completed within 2 years of the cessation of working or such other period as may be approved in writing by the mineral planning authority during consideration of the restoration scheme referred to in condition 26.

Reason: In the interests of proper site restoration and afteruse.

28. The restoration scheme referred to in condition 27 shall provide for the restoration of the whole of the area subject to the scheme and shall include the following:-

(a) final levels and gradients in the form of contour lines on which the final restoration and afteruse shall take place.

(b) locations and depths of any water areas which may form part of the final restored site.

(c) details of the use of soils and soil making materials, depth and nature of topsoil and subsoil and handling methods for soil movement.

(d) details of the type of vegetation (including numbers of species of trees, shrubs and other plants and grass and hedgerow seed mixes) over all areas not to be permanent water features.

(e) details of the afteruse of all parts of the site.

- (f) the location and composition of any hedges and the location and type of any fences.
- (g) the soiling of all areas which are not designed to be permanent water areas.
- (h) preparation of the land for cultivation.
- (i) details of the measures to be taken to protect any water areas designed to form part of the restored site from pollution by any existing waste material that has previously been deposited on the site of this application.

Reason: In the interests of proper site restoration and afteruse.

29. Stockpiles consisting solely of subsoil shall not exceed 4 metres in height.

Reason: To prevent damage and degradation of restoration materials.

30. Top soil and subsoil shall not be stored in the same stockpile except in the following circumstances:-

- a) the stockpile shall be no more than 4 metres in height.
- b) only subsoil shall occupy the bottom 2 metres of any such stockpile.
- c) any topsoil shall be stored separately from and above the subsoil.
- d) before the placement of any topsoil on the subsoil comprising any stockpile the mineral planning authority shall be given at least 14 days notice in writing to enable it to inspect the stockpile.

Reason: To prevent damage and degradation of restoration materials.

31. Except in the circumstances set out in condition 30 topsoil shall be stored in a stockpile separate from any other material and stockpiles shall not exceed 2 metres in height.

Reason: To prevent damage and degradation of restoration materials.

32. The surface of any subsoil, topsoil or subsoil/topsoil stockpiles shall be seeded with a leguminous seed mixture, details of which shall be submitted to and agreed in writing by the Mineral Planning Authority before the formation of any stockpiles. Seeding shall take place within six months of deposition of the stockpile to the satisfaction of the Mineral Planning Authority.

Reason: To prevent damage and degradation of restoration materials.

33. The soil stockpiles shall only be located in the areas indicated on drawing no. 000/003/A2C and shall have side slopes no steeper than 1 in 1.

Reason: To prevent damage and degradation of restoration materials.

34. Plant and vehicles shall not cross or rest on areas of deposited topsoil or subsoil except for the purpose of working the soil in accordance with the aftercare plan.

Reason: To prevent damage and degradation of restoration materials.

35. The movement of topsoil and subsoil shall only be carried out when the material to be moved is sufficiently dry to minimise structural damage and only in dry weather conditions and in any event only between April and September.

Reason: To prevent damage and degradation of restoration materials.

36. For the purposes of this determination the permanent cessation of the winning and working of minerals shall mean not carrying out any mineral extraction for a period of 10 years from any location within the areas subject to the determination of conditions in applications IDDOC/95/6338/D and EADOC/97/6665/D.

Reason: In the interests of proper site restoration and afteruse.

37. Without prejudice to the requirements of conditions 26 and 27 in the event that the winning and working of minerals permanently ceases before the date specified in condition 1 without the full depth of mineral having been excavated, schemes of restoration and aftercare, which shall include the matters referred to in conditions 28 and 38, shall be submitted within 12 months of permanent cessation for the written approval of the mineral planning authority. Within 2 years of the written approval of the schemes by the mineral planning authority or any schemes which are approved on appeal by the Secretary of State or imposed by the mineral planning authority (or such other period as may be approved in writing by the mineral planning authority) the whole site shall be restored in accordance with the approved or imposed scheme. In the event of schemes being submitted to but not approved by the mineral planning authority and where no appeal is made against such non approval the mineral planning authority shall impose schemes. Afteruse of the site in accordance with the approved or imposed scheme shall take place immediately following completion of restoration.

Reason: In the interests of proper site restoration and afteruse.

38. The restoration and aftercare schemes referred to in conditions 26 and 37 shall include details of the management of restored soils; (including fertiliser type, rates, method and timing of application); planting and maintenance of vegetation and drainage patterns for a five year aftercare period; provision of a proper means of surface water and soil drainage; a programme of work.

Reason: In the interests of proper site restoration and afteruse.

39. Restoration of the site shall not involve the use of any imported controlled waste other than that which is already on the site and not the subject of the enforcement notice issued on 2nd November 1989 nor shall it involve the filling of any existing or future voids with controlled waste already on the site, unless a separate planning permission is granted for such operations. For the avoidance of doubt, in this context 'the site' means the area subject of this application - ie the areas subject of Interim Development Order permission no. 6663.

Reason: In the interests of proper site restoration and afteruse.

40. Details of the type and amount of any imported materials to be used in the restoration of the site shall be provided as part of any restoration scheme. For the avoidance of doubt, (i) such materials cannot include any controlled waste (see condition 39) and (ii)

'restoration' has the meaning given to the word in Minerals Planning Guidance (MPG) 14 paragraph 115.

Reason: In the interests of proper site restoration and afteruse.

41. All soil materials used for restoration shall be free of stones greater than 150mm diameter and other deleterious materials.

Reason: In the interests of proper site restoration and afteruse.

42. No further work shall take place nor shall any vehicle, plant or equipment enter or be placed or allowed to remain on an area after it has been restored without the prior written agreement of the Mineral Planning Authority unless it is needed in connection with the maintenance of the area or the approved afteruse.

Reason: In the interests of proper site restoration and afteruse.

43. All plant associated with the excavation of clay shall be removed from the site on completion of clay extraction, unless it is required for the restoration of the site.

Reason: In the interests of proper site restoration and afteruse.

44. The approved aftercare scheme(s) shall be implemented immediately following the completion of the relevant restoration scheme.

Reason: In the interests of proper site restoration and afteruse.

45. Unless previously agreed in writing by the Mineral Planning Authority, upon permanent cessation of mineral extraction all haul roads/access roads/areas of hardstanding created in connection with the development subject of Interim Development Order permission no. 6663 and this determination shall be broken up and removed from the site and the land restored in accordance with the approved scheme(s).

Reason: In the interests of proper site restoration and afteruse.

46. For the avoidance of doubt with the exception of the extraction depth referred to in Condition 10 none of the proposals contained in the submitted plans 333/101 to 125 or the submitted reports entitled 'Quality Assessment of Land Use, Restoration and Afteruse Proposals', 'Carr Lane Wildlife Reserve and Community Woodland Management Plan' or the document attached to Cass Associates letters of 27th January 1995 are approved for the purposes of this determination.

Reason: In the interests of proper site restoration and afteruse.

47. All mobile fuel tanks shall incorporate an inner fuel holding tank and an outer bund tank of capacity at least equal to 110% of the inner tank. All filling points, vents, gauges and sight glasses shall be located within the bund.

Oils, chemicals and greases shall be placed in a secure store and kept within the manufacturer's container.

Reason: To prevent pollution of watercourses and groundwater.

48. This determination relates to the area granted permission under interim development order permission no. 6663 on 8th July 1947, this area being edged red on the plan endorsed 'approved' with Hoylake Urban District Council's stamp. In so far as it refers to the area subject of the interim development order permission, plan no. 000/003/A2C shall form part of this determination.

Reason: For the avoidance of doubt.

49. Within six months of the date of this determination, or within six months of the recommencement of mineral extraction operations whichever is later a scheme for the disposal of all surface, ground and foul water arising within the site shall be submitted to, and for the approval of, the Mineral Planning Authority. Such a scheme shall be designed so as to avoid the contamination of surface and ground waters outside the site, and shall include details of the design and capacity of all settling ponds, drains, outfalls and sluices.

Reason: To ensure that drainage and settlement provision is adequate to avoid contamination of surface and ground waters, and in particular that the nearby Meols Meadows SSSI is not affected.

50. Within six months of the date of this determination, or within six months of the recommencement of mineral extraction operations whichever is later a scheme for the monitoring of surface water flow and quality from the site shall be submitted to, and for the approval of, the Mineral Planning Authority. Such a scheme shall include details of the measurements to be taken, and the frequency of monitoring.

Reason: To monitor the levels and quality of surface and ground waters

51. Within six months of the date of this determination, or within six months of the recommencement of mineral extraction operations whichever is later a scheme for the monitoring of ground water levels and quality shall be submitted to, for the approval of, the Mineral Planning Authority. Such a scheme shall include:

- a. the locations of monitoring boreholes along the northern margins of Areas 2 and 10, and within Area 1, as shown on Drawing 000/003/A2C;
- b. the measurements to be taken and the frequency of monitoring.

Reason: To monitor the levels and quality of surface and ground waters.

52. The drainage scheme approved under Condition 49 above shall be implemented within one month of its approval, and maintained throughout the operation of the site, unless revised proposals are approved in writing by the Mineral Planning Authority under condition 55 below.

Reason: To ensure that the approved drainage, surface water and ground water drainage and monitoring schemes are implemented and amended as appropriate.

53. Notwithstanding the generality of Condition 52 above, the details of final restoration of any part of the site required by Conditions 26 and 27 shall include provision for any necessary amendments to the drainage scheme which arise as the site is restored.

Reason: To ensure that the approved drainage, surface water and ground water drainage

and monitoring schemes are implemented and amended as appropriate.

54. The surface and ground water monitoring schemes approved under Condition 50 and 51 above shall be implemented throughout the operation of the site, unless otherwise agreed in writing beforehand by the Mineral Planning Authority. The results of the monitoring schemes shall be submitted to the Mineral Planning Authority within twenty eight days of each measurement being carried out.

Reason: To ensure that the approved drainage, surface water and ground water drainage and monitoring schemes are implemented and amended as appropriate.

55. In the event that the results of the ground water and surface water monitoring schemes approved under Conditions 50 and 51 above indicate that the operation of the site is likely to harm the nature conservation interests of the nearby Meols Meadow SSSI due to the quantity of water disposed of, then:

- a. a revised drainage scheme shall be submitted to the Mineral Planning Authority to replace the scheme approved under Condition 49 above; and
- b. the revised drainage scheme shall be implemented within one month of its approval in writing by the Mineral Planning Authority.

Reason: Surrounding the site in order that potential impacts on Meols Meadow SSSI arising from the development can be identified, assessed and where appropriate incorporated into the design of the final restoration scheme for the site.

56. Within six months of the date of this determination, or before excavation proceeds below 0m. Ordnance Datum (whichever the sooner) the applicant shall submit records of boreholes constructed and logged in accordance with BS5930, at not more than 150 metres spacing around the periphery of the proposed clay extraction area (unless revised proposals are approved in writing by the Mineral Planning Authority) in order to prove the nature of the ground and the groundwater conditions therein.

The depth of these boreholes shall be adequate to provide the information necessary to carry out geotechnical analysis demonstrating stability of the base and sides of the proposed excavation.

Piezometers shall be installed in all individual sand and gravel or sandstone layers encountered in such boreholes, and the sections of open borehole between the piezometers shall be sealed to prevent leakage of water between geological layers unless revised proposals are approved in writing by the Mineral Planning Authority.

Reason: To prove the existence of the clay mineral to the depths proposed to be worked (mineral cannot be worked where it does not exist).

57. Once installed, the piezometers shall be protected against damage or interference and subject to monthly water level monitoring to be submitted to the Mineral Planning Authority within 15 weeks of each set of readings, unless revised proposals are approved in writing by the Mineral Planning Authority.

If any of the monitoring piezometers is lost or damaged rendering it inoperable, it must be replaced within ten weeks of the damage or loss.

Reason: To prove the existence of the clay mineral to the depths proposed to be worked. (Mineral cannot be worked where it does not exist).

To provide ground water and geological information fundamentally required to assess the practical geotechnical stability of the site, in particular the stability of the excavation sides and the ability of residual superficial deposits to resist basal heave caused by groundwater pressure in the underlying strata.

This information will also provide essential information required for the planning and assessment of the feasibility of restoration proposals (see conditions 59 and 60).

58. No waste or restoration materials other than topsoil or subsoil in accordance with the Interdepartmental Committee on the Redevelopment of Contaminated Land Guidelines 59/83 for Parks, Playing Fields and Open Space shall be imported to the site until a restoration scheme has been agreed with the Mineral Planning Authority.

Reason: To protect water resources.

59. No restoration scheme shall incorporate a water body with a top water level above the base of the existing waste deposits in or beneath the adjoining land affected by the Enforcement Notice referred to on drawing 333/109 unless hydraulic isolation from those wastes can be demonstrated to the written satisfaction of the mineral planning authority as advised by the Environment Agency.

Reason: To protect water resources.

60. There shall be no deposit of waste or restoration materials direct into Controlled Waters and controlled waste or leachate from it must not come into contact with groundwater, unless hydraulic isolation from those waters can be demonstrated to the written satisfaction of the Mineral Planning Authority as advised by the Environment Agency.

Reason: To protect water resources.

61. Within 12 months of the date of this decision, an Ecological Appraisal shall be submitted to the mineral planning authority for its approval in writing.

For the avoidance of doubt, the Ecological Appraisal shall include the following matters:

- a desktop study and consultation with Cheshire rECOrd to identify any records for protected and/or notable species, sites and habitats on or within 2km of the site;
- an Extended Phase 1 Habitat survey to identify the habitats present on and adjoining the site, with maps and target notes appended to the report, in accordance with methods set out in the JNCC Handbook for Phase 1 Habitat Survey;
- the potential for protected and/or notable species and any requirements for specialist surveys e.g. breeding birds, bats, water vole. Where specialist surveys are required, the report should identify when these surveys will be undertaken to inform the restoration and aftercare of the site;
- identify any ecological impacts as a result of ongoing use or future site use and suggest measures for avoidance and/or mitigation;
- identify opportunities to maximise the contribution of the proposed development to biodiversity in line with the biodiversity duty set out in Sections 40 and 41 of the Natural Environment and Rural Communities Act (NERC) 2006 and the NPPF;

- identify any invasive species list on Schedule 9 of the Wildlife and Countryside Act 1981 as amended, present on the site or within 7m of the site boundary. The location and extent of any invasive species should be shown on a scaled plan included with the survey report.

If an Appraisal has not been submitted by this specified date the winning and working of mineral from the site shall cease until such time as an Appraisal has been submitted. If the Appraisal has not been approved by the mineral planning authority within six months of it been submitted, the winning and working of minerals shall cease unless and until an appeal against such failure to approve has been made to the Secretary of State and unless that appeal is still current and undecided. In such an eventuality the winning and working of minerals shall cease if the appeal is dismissed and it shall not recommence until an Appraisal has been approved, except if the date is still within 12 months of the date of this permission, in which case the mineral extraction activity may continue until that date.

Reason: In the interests of ensuring appropriate updated ecological and environmental information, to update the Environmental Statement to APP/2001/6405/D and inform the restoration and aftercare of the site, having regard to UPD Policies NC01, NC4 and NC7, and the National Planning Policy Framework.

Last Comments By: 02/02/2012 12:20:34
Expiry Date: 19/03/2012

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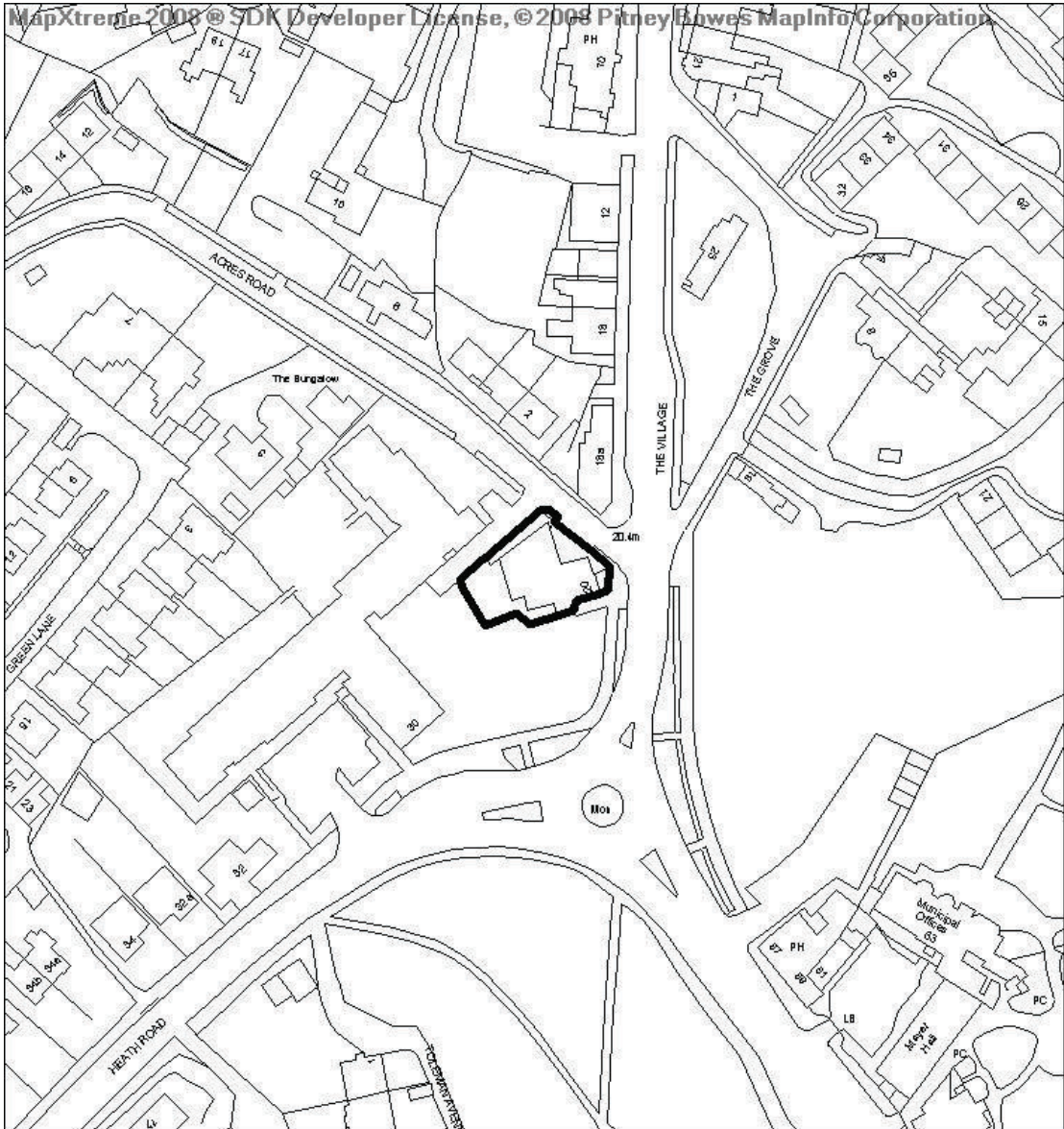
Planning Committee

24 April 2012

Reference: APP/11/01344	Area Team: South Team	Case Officer: Miss A McDougall	Ward: Bebington
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Location:	Kirk Funeral Director, 20 THE VILLAGE, BEBINGTON, CH63 7PR
Proposal:	Construction of single storey extension for refrigeration unit to rear of the premises - Amended Description.
Applicant:	F.R.Kirk & Son
Agent :	Neil Braithwaite Architect

Site Plan:



Development Plan allocation and policies:

Primarily Residential Area
HS15

Planning History:

APP/88/05627 - Erection of single and two storey extension and alterations to existing funeral directors - Approved 19/05/1988

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 61 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report no objections have been received.

CONSULTATIONS:

The Director of Law, HR & Asset Management (Pollution Control Division): No objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection consisting of 33 separate household signatures has been received stating concern over noise from the external refrigeration units that may annoy neighbours.

INTRODUCTION

The proposal is for the erection of a single storey rear extension, the plans have been amended since the original submission, which would see the removal of the brick built extension and have an external concrete hardstanding for the refrigeration units. The plans were subsequently amended to reinstate the original proposal for a brick built extension. The final drawings to be assessed and the application determined on were received on 5th March 2012 Drawing no.B-0.01.

PRINCIPLE OF DEVELOPMENT

The proposal is for an extension to an existing commercial premises within a residential area, the principle of development is acceptable.

SITE AND SURROUNDINGS

The property is a detached commercial unit within the residential area, the extension is located within a natural corner of the building and does not project outward past the existing rear elevation. The building itself is a detached rendered commercial property that is quite stand alone in the street scene, the extension is to the rear, behind the building is a three-storey residential flat building, there is approximately 19m separation distance between the flats to the rear and the plot itself.

POLICY CONTEXT

Within the Primarily Residential Areas as defined on the Proposals Map, Policy HS15 states that proposals for small-scale built development and changes of use for non-residential uses will only be permitted where the proposal will not:

- (i) be of such scale as to be inappropriate to surrounding development;
- (ii) result in a detrimental change in the character of the area; and,
- (iii) cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on-street parking and deliveries by vehicle.

Proposals should make adequate provision for off-street car parking standards and servicing requirements.

APPEARANCE AND AMENITY ISSUES

The proposed extension fills in a rear dog leg to the building, the extension measures 2.8m by 2.7m and sits in line with the existing side and rear elevations and has a flat roof with a height of 2.4m. The extension is quite minimal in scale.

The petition states concern over the external refrigeration units and any noise that may impact on neighbours. The proposal has been amended to house the units within a brick built structure, which is considered more acceptable and unlikely to result in any noise and disturbance that would be harmful to nearby neighbours.

The extension is of a scale and location that will not harm the character of the area or cause nuisance to existing neighbouring uses.

SEPARATION DISTANCES

Separation distances do not apply in this instance.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The revised scheme to build a single storey rear extension is appropriate to the existing building and the visual appearance of the surrounding area. The development having regard to the revisited plans received on 5th March 2012 is acceptable in terms of impact onto the existing neighbouring uses.

Summary of Decision:

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

The proposed single storey extension is acceptable in terms of scale and siting having regard to Wirral's UDP Policy HS15.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the details shown on the plan(s) ref B-0.01 received by the Local Planning Authority on 5th March 2012.

Reason: For the avoidance of doubt

Last Comments By: 30/03/2012 12:18:17
Expiry Date: 24/04/2012

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Planning Committee

24 April 2012

Reference:
OUT/11/01502

Area Team:
South Team

Case Officer:
Mr M Davies

Ward:
Eastham

Location: Carlett Park, 1061 NEW CHESTER ROAD, EASTHAM
Proposal: Outline application for demolition of existing buildings and redevelopment for up to 55 residential units (use class C3)
Applicant: Wirral Metropolitan College
Agent : Mr Stephen Bell

Site Plan:



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Development Plan allocation and policies:

Green Belt
Major Developed Site in the Green Belt

Planning History:

There have been numerous planning applications relating to the use of the site by Wirral Metropolitan College as an educational facility. However, there is no planning history that is relevant to this application for residential development on this part of the site.

The residential properties immediately adjacent to the east of the application were subject to an application for outline planning permission (OUT/00/06487) submitted in 2000 and subsequently approved on 14 November, 2001.

Approval of a reserved matters application (DLS/02/05737) for the erection of 86 dwellings was approved on 16 August, 2002.

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regards to the Council's Guidance on Publicity for Applications, a total of 90 Neighbour Notifications were sent to properties within immediate proximity of the proposed development site. A Press Notice was placed in the Wirral Globe and a total of 6 Site Notices were placed at the following locations: (1) The junction of Torr Drive and New Chester Road; (2) the junction of Torr Drive and Ferry Road; (3) the junction of Ferry Road and Eastham Village Road; (4) the junction of Torr Drive and Chapel View; (5) the junction of Torr Drive and Wood Heath Way; (6) the junction of Park Avenue and New Chester Road and (7) off Torr Drive (adjacent to the college campus).

3 letters of objection have been received from 218 Ferry Road, 4 Wood Heath Way & Flat 9, 7 Chapel View in Eastham which can be summarised as follows:

1. No provision has been made for the protection of the Chapel of the Good Shepherd, a Grade II Listed Building;
2. Noise from construction traffic, machinery & operatives will be extremely disruptive;
3. The area is already heavily trafficked with associated parking problems (double parking and/or parked on pavements). This development would only add to this ongoing problem as most families now own two (or more) cars;
4. Due to the relatively low height of the existing college buildings, rear gardens (to existing adjacent residential properties) benefit from sunshine in the Summer, particularly during the evenings. This sunlight will be lost if the redevelopment of the site is allowed, reducing the quality of life for existing residents; and
5. Devaluation of property.

1 representation of support has been received from 35 Torr Drive. However, the owner of that property has also asked that all mature and near-mature native trees on & around the site are preserved and that the new dwellings should reflect the architectural quality, scale & variety of existing residential properties, thereby retaining a high standard of development & securing selling value.

The Bromborough Society - the combined footprint of the proposed dwellings should not exceed the footprint of existing buildings; full protection must be afforded to the adjacent woodland(s) and the Grade II listed Chapel - the last part of the Carlett Park buildings to remain from the 19th Century.

CONSULTATIONS

The Director of Technical Services (Traffic & Transportation Division) - No objections. The proposal for the erection of up to 55 dwellings is unlikely to generate significant additional traffic movements in comparison to the sites existing use as a college of further education. The existing traffic signal junction at New Chester Road (A41) & Torr Drive is assessed to work well & well within capacity. Although the indicative layout is acceptable in principle, the applicant(s) should agree full details of any road layout and traffic calming measures with the local authority prior to the submission of reserved matters applications.

The Director of Law, HR & Asset Management (Pollution Control Division) - No objections.

Merseyside Environmental Advisory Service - Water & energy efficiency and the facilitation of waste management activities are encouraged and supported by National Planning Policy Statements 1 & 10. Future developers of the site are encouraged to commit to using the Code for Sustainable Homes when designing reserved matters applications. Provision of at least 10% of predicted energy needs should be from decentralised, low carbon & renewable energy resources & again, should be considered in the detailed design(s) at reserved matters stage. The Flood Risk Assessment submitted with the application forms an acceptable basis on which the risk of flooding to and from the development can be evaluated. The methodology used complies with National Planning Policy Statement 25 and shows that the proposals (compared with the existing use of the site) will result in improvements in peak run-off rates. A final drainage scheme (including a preferred SUDS option) should be submitted to the Council for approval at detailed design stage (reserved matters). Demolition & construction activities have the potential to give rise to significant environmental effects, pollution and nuisance. A Construction Environmental Management Plan should be put in place by the developer(s) to demonstrate how site operations will be managed to mitigate and manage the potential for noise, vibration, dust, traffic and other effects that could arise while construction activities continue. This can be secured through a suitable worded planning condition. The development is small scale and although located in proximity to, is outside of the boundaries of the European site (The Mersey Estuary Special Protection Area, Ramsar & Site of Special Scientific Interest). Consideration of the scale and nature of the proposed development has led to the conclusion that no pathways exist for likely significant affects on the European site and therefore, a Habitats Regulations Screening exercise is not required.

Eastham Village Preservation Association - No objections.

Natural England - proposals do not appear to affect any statutorily protected sites or landscapes or have significant impacts on the conservation of soils, nor is the proposal EIA development. There are suitable features for roosting (for bats) within the application site (e.g. buildings, trees and/or other structures) that could be impacted by the proposals. Mitigation measures required.

Wirral Wildlife - The woodland within the application site is not ancient and lacks a species-rich ground flora. However, the woodland is an attractive feature in this part of Eastham and should be retained and properly managed in the future. The application site is adjacent to Eastham Country Park which is a Site of Biological Importance, partly with rich ground flora, a range of breeding birds including some uncommon species and it is a major centre for bats. It is unlikely that the development itself will be harmful to the Site of Biological Importance (SBI) but measures are needed to ensure that debris and other activities during (construction) works do not harm the SBI. Trees on the edge of the SBI should be fenced off at the edge of the canopy to protect them from machinery and materials. Pleased to see that the indicative layout shows housing separated from the woodland(s) by roads - greatly lessens the problems of dumping of garden and other waste into wildlife-rich sites. Eastham Woods are a hot-spot for bats with at least 3 different species present. It is important that the recommendations of the Ecological Report submitted with the application regarding lighting are followed. This will also benefit other nocturnal species such as owls. To maximise the contribution of the proposed development to biodiversity and sustainability, bat bricks/boxes should be incorporated into the design of the new houses (at reserved matters stage). A suitable re-use of the chapel building, with the local community in mind, should be encouraged.

Merseyside Fire & Rescue Service - No objections.

United Utilities - No objections. Reinforcing and/or upsizing will be required to the existing network.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application seeks permission for the erection of up to 55 new dwellings with the Green Belt. The proposals are defined as Major Development, and as such are required to be considered and determined by the Planning Committee under the provisions of the Council's adopted Scheme of Delegation for Determining Planning Applications (2009).

INTRODUCTION

The site currently houses the Wirral Metropolitan College Carlett Park Campus in Eastham. The site is located within the Green Belt and is defined in the UDP as a Major Developed Site within the Green Belt although a small part of the site (approximately 0.5 hectares) falls outside of the Major Developed Site. This part of the site comprises of hardstanding that is currently used as an informal area of car parking, with little landscaping inside the site, although the boundary is well planted and currently screens the college buildings from the surrounding Green Belt land. It is proposed as part of the development to further strengthen and enhance the planting along these boundaries with evergreen indigenous species to provide a year-round buffer between the application site and the Green Belt beyond. The proposals seek permission for the demolition of the existing college buildings and the erection of up to 55 new residential units. The proposed development aims to deliver a mix of new homes, both for private sale and a proportion of affordable housing. The proposals seek to fully integrate with and provide for a more appropriate environment for existing residential properties, located immediately adjacent to the site to the east. The proposals form a fundamental part of Wirral Metropolitan College's aspirations and objectives to enhance its educational role within the Borough, which is underpinned by its estates strategy for relocated existing education offer and course to refurbished facilities at Conway Park and Twelve Quays campuses in Birkenhead. Carlett Park is now surplus to requirements and the asset value of the campus is critical to realising the extent and standard of refurbishment works proposed on the retained estate at Conway Park and Twelve Quays.

SITE AND SURROUNDINGS

Located just north of Eastham Village, the site currently comprises of the Wirral Metropolitan College Carlett Park Campus. It measures some 4.7 hectares in area. The existing college buildings are predominantly 2-storey in character, with no significant or special architectural merit. The college buildings have a built footprint of just over 4,000 square metres. Immediately to the north of the site lies Eastham Woods and the Eastham Country Park (designated Countryside Recreation Site and a Site of Biological Importance). To the west and south of the site is Eastham Lodge Golf Course. Immediately adjacent to the site to the east lies an existing residential area, made up of detached and semi-detached properties together with some apartments. The site can be accessed via Torr Drive and the A41 New Chester Road and by Ferry Road to the east of the site, through the existing residential development. The site has a large area of woodland at its southern and western boundaries, which is to be retained. Within the site, on its eastern boundary and adjacent to the existing residential development is the Chapel of the Good Shepherd, a Grade II listed building dating from 1887 and set within an attractive green space with mature trees. Both the chapel and the green space are to be retained as part of these development proposals.

PRINCIPLES OF DEVELOPMENT & POLICY CONTEXT

Redevelopment of the eastern part of the Wirral Metropolitan College site at Carlett Park for residential development was approved in 2000. That permission has now been fully implemented. This current application seeks permission for the redevelopment of the remainder of the Carlett Park Campus with residential development. Since this application seeks outline planning permission with all matter reserved for subsequent approval, the key considerations in determining this application are therefore ones of principle and centred on planning policies.

The site is defined in the Wirral Unitary Development Plan (UDP) as Major Developed Site within the Green Belt with Policies GB8 and GB9 being relevant to this designation. Policy GB8 (Guidelines for Major Developed Sites in the Green Belt) supports the redevelopment of existing buildings subject to certain criteria being satisfied. The first of these criteria is that new development "shall have no greater impact than that existing on the open appearance of the Green Belt and the purposes of including land within it, and where possible have less." The ground floor area of the existing college buildings to be demolished as part of these proposals constitutes 4,043 square metres. These buildings are principally two storeys in character with no special architectural merit and are contained within 3 large blocks joined by single storey link corridors. In addition to the 3 main blocks there are two smaller blocks located to the north and to the south of the main buildings. It is proposed that the new residential development will take up 4,040 square metres, which compares favourably with the existing footprint areas of the college buildings. Whilst this is a full outline application, with scale, appearance and layout of the residential development reserved for subsequent approval, it is proposed that the new dwellings will have heights that compare favourably with those already established on the existing site to the east. It is proposed that the heights of new dwellings will reduce from the centre of the site out towards the edge of the site, adjacent to the open aspect of the

Green Belt. Therefore, it is proposed that whilst some of the new dwellings may exceed the height of the existing 2-storey college buildings, they will not exceed the height of existing residential buildings on the adjacent development, a significant number of which are 3-storey in appearance. However, the large bulk and mass of the existing buildings will be deleted from the landscape with a more cohesive development in keeping with the adjacent land use.

As with previous Green Belt policy (Planning Policy Guidance Note (PPG) 2: Green Belts), the National Planning Policy Framework (published 27 March 2012) reiterates the importance of protecting Green Belts and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It states that "when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

Whilst Annex C of PPG2 (which identified criteria against which redevelopment of Major Developed Sites should be assessed) has not been carried forward in the recently published National Planning Policy Framework, that criteria is nevertheless largely reflected within Policy GB8 of the Council's own UDP. Whether Major Developed Sites are redundant or in continuing use, their complete or partial redevelopment may offer the opportunity for environmental improvement without adding to their impact on the openness of the Green Belt. Sometimes the environmental and planning advantages of a Green Belt scheme may outweigh a proposed development's "inappropriateness." In this instance, the removal of large campus buildings with no special character or merit may be considered a very special circumstance. Whilst the existing buildings could be argued as being prominent within the Green Belt, the proposed redevelopment of the site with (up to) 55 dwellings would increase the openness of the area. When considering redevelopment of such sites, there should be a focus on a close comparison of the proposed development with the extent of the existing development, to ensure there is no greater impact on openness or Green Belt function as a consequence of redevelopment. In this instance, it has already been noted that the proposed floor area compares favourably with the existing college buildings (in fact, very marginally smaller) and that it is proposed that the heights of the new dwellings will reflect those on the adjacent, existing residential development.

The site is also well located in relation to public transport (there are bus stops on the A41 at the bottom of Torr Drive) and the site is also within walking distance of local shops and other facilities. The application is also consistent with what the National Planning Policy Framework has to say around housing and the context of sustainable development. Both the Regional Spatial Strategy and the Council's own planning policies encourage the re-use of brownfield sites. The proposals put forward by this application would result in the redevelopment of previously developed land and would make a notable contribution to the delivery of housing for the Borough.

However, the fact that the site has been previously developed (i.e. the college buildings) is not sufficient reason in itself to warrant a grant of planning permission. This development proposal is being brought forward as part of Wirral Metropolitan College's strategic plan and long term ambitions and aspirations for the provision of further education on the Borough. Wirral Metropolitan College is the largest further education establishment on the Wirral, with over 16,000 students enrolling each year. An Ofsted report in 2007-09 assessed the College's performance as being 'satisfactory' with the adequacy of the College's current estate being identified as part of this performance result. Carlett Park in particular scored poorly. The College concluded that to achieve 'outstanding' status, they must move away from poorly configured accommodation that is no longer 'fit for purpose.' As a means to address this, the College undertook a comprehensive accommodation review to fully understand all of the options available to them. A review of the Carlett Park Campus identified the following:

- Aspects of the accommodation are not fit for purpose which acts significantly as a disincentive to investment outside of the refurbishment programme;
- Whilst the campus has a pleasant and secluded setting, it does not have high visibility with passing public or local industry/commerce; and
- Although the Campus is a reasonably sized site, development opportunities for new college facilities are significantly restricted due to its Green Belt boundaries.

It was also found that most of the Carlett Park campus houses the College's business support services which serve the College as a whole and are, therefore, not site-dependent. The 16-18 curriculum provision currently offered at Carlett Park is also not site-dependent and is offered at the College's other campuses at Twelve Quays and Conway Park, and also at The Oval Sports Centre. Recent reviews also found that of the existing students based at Carlett Park, a significant number live over 3 miles away (only 13% of students attending the campus live within 3 miles of the site, compared with 58% at Conway Park and 55% at Twelve Quays). There is, therefore, an opportunity for consolidation and a more coherent offer to students and learners which in turn offers the opportunity for a more simplified and efficient accommodation strategy. The conclusions of the accommodation review have therefore been that the provision currently offered at Carlett Park can be relocated to existing accommodation at Conway Park and Twelve Quays to improve quality of access and provision. In order to implement the closure of Carlett Park, a programme of reconfiguration and refurbishment at both the Conway Park and Twelve Quays campuses will enable the College to secure more efficient layouts, upgrade facilities and achieve better programming of their curriculum. However, the refurbishment programme and specifically the funding of these works is directly linked to the receipt of the land sale at Carlett Park. Funding received from the land sale will be 100% reinvested into refurbishing the College's remaining educational facilities and improving their educational offer, to the benefit of the Wirral community.

One of the very special circumstances put forward in support of the proposals centres on the College's need to relocate its facilities to its other two campuses at Twelve Quays and Conway Park as part of their overall estates review and ambitions to improve and enhance their educational offer. A detailed option appraisal that has been undertaken on behalf of the College indicates a minimum total cost of approximately £2.5 million to achieve the necessary standard of refurbished accommodation at their remaining two campuses. This however is a base estimate and may well be higher. The options for funding the refurbishment works are very limited. The significant reductions in public funding means that the College cannot rely on such streams to fund their objectives. The College has limited funds of its own at its disposal. Its estate is the College's most significant asset. Of course, another option for the College is to explore finance loan(s) but these have repayment requirements and interest payment implications which would place a considerable financial burden (without some other means of off-setting the capital costs) on the College that would expose them to a level of long term financial risk that they are understandably very keen to avoid.

Residential redevelopment of the Carlett Park Campus has been determined (by the applicants) as being the most suitable use in relation to the wider residential surroundings. In 2000, a very similar consent was granted when the eastern part of the campus site was demolished and redeveloped with residential development. These current proposals would reflect the scale and design of the existing dwellings, although it should be noted that there would be fewer dwellings (up to 55) than in 2000 (86 in number). The College has presented a clear mission and strategy for growth that supports both Government's and local priorities for study on the Wirral and maximizing the benefits for the Borough's educational profile. The realization of its accommodation strategy is an essential component of that growth.

Through supporting documents submitted to the Council with this planning application, through discussions held between Council officers and the applicants and through the submission of detailed financial information (which has been independently appraised on behalf of the Council so that the applicants case can be verified and affirmed), the Council can be comforted that it has been demonstrated that the extent of development proposed, the scale parameters and proportion of affordable housing proposed as part of these proposals (see below) have a direct relationship with the land values required to realise the identified refurbishment programme for and improved educational offer available at the Twelve Quays and Conway Park campuses and that these arguments advanced by the applicants in support of their application can be taken as very special circumstances underpinning these proposals.

A small part of the application site lies outside of the Major Developed Site (MDS) and sits within the wider Green Belt. As such, 'very special circumstances' must exist to justify approval of these proposals. This part of the site does, however, form an obvious part of the existing campus site, being used as is for car parking associated with the College. There is also an existing building presently being used to house canoes and other equipment used by the College. It can be argued that there is no landscape benefit from this part of the site and there is a clear and distinguishable

physical boundary where the site abuts the golf course. In appearance, therefore, though outside of the MDS boundary, it appears to be very much part of the campus site. However, despite this, harm by reason of inappropriateness must still be clearly outweighed by other considerations for very special circumstances to be proven. The following considerations are considered to substantially outweigh the limited harm to the Green Belt and to represent very special circumstances:

1. **Educational Need:** there is a clear link between the redevelopment of the Carlett Park campus and the educational benefits that the sale of the land and its redevelopment proposals can generate. The full financial receipt for the site will generate sufficient funds to cover the refurbishment works to the College's remaining campuses at Twelve Quays and Conway Park, which in turn will secure a high quality educational offer for the Wirral and assist in reducing worklessness and increase educational levels within the Borough;
2. **Regeneration Benefits:** the Carlett Park site will become vacant from 2012 and therefore, these proposals offer an opportunity to cohesively redevelop the site in terms of the existing residential development immediately to the east of the site. The proposed redevelopment would enhance the setting for the existing residential properties and will also improve the setting of the Chapel of the Good Shepherd, a Grade II listed building;
3. **Financial Re-Investment:** As outlined above, there is a need to sell the Carlett Park site as a whole, as a result of the College vacating the site in 2012. The need to include the small area of land outside of the Major Developed Site boundary, currently being used in connection with the College for car parking and storage facilities, is based on the need of Wirral Metropolitan College to generate a maximum land value. The funds generated, as explained above, will then be 100% reinvested into the College and its educational offer with the funding generated being used on the refurbishment and reconfiguration works at Conway Park and Twelve Quays that is required to enable the College to enhance and maximise that educational offer and provision;
4. **Contribution to Housing Choice:** the redevelopment of the site for residential development will make a notable contribution to housing choice within the Borough, offering high quality housing in an accessible and attractive location. The development would also provide an element of affordable housing responding to local housing needs.

In respect of Green Belt policy, the proposals are considered to result in very limited harm. Although harm does arise by reason of inappropriateness, by definition to Green Belt policy, it is considered that very special circumstances can be proven whereby those material considerations can be found to outweigh the policy conflict for a very small part of the site. The proposed redevelopment is entirely appropriate when considered in the context of the site's immediate surroundings and its 'previously developed' status. Although the proposals are in outline with all details reserved for subsequent approval, the indicative plans and parameter plans submitted with the application indicate a scale and form of development that is well considered and takes account of the sites natural and heritage features and surrounding landscape, creating a high quality, cohesive residential neighbourhood when considered in conjunction with the existing housing to the east of the site.

APPEARANCE AND AMENITY ISSUES

This application is a full outline application and does not propose a layout. All matters relating to design, layout, appearance, the layout of open space and the highway network are all reserved for subsequent approval which will form the basis for future applications for reserved matters. However, some indicative illustrations have been submitted with the application that show elevations and perspectives that give an indication of likely appearance. The basis of these illustrations closely follow the design, appearance and massing of the existing residential development east of the application site.

The site is currently characterised by college buildings set amongst some mature woodland, together with formal and informal car parking areas. The informal area of car park to the northern extremity of the application site is the only part of the site that sits outside of the Major Developed Site boundary although there are no physical demarcations on the ground that distinguish this element of the site from the remainder of the application site. A separate canoe store also sits on this area of car parking. The existing college buildings form 3 linked blocks of two-storey, flat roofed, mid-20th century buildings that sit uncomfortably with the residential development to the east. The same could be said for the use of the site as an educational use. It is considered that the proposals for residential development would sit more comfortably with the established residential development adjacent to the application site.

The proposals seek consent for a maximum of 55 houses. This is fewer in number to those approved in 2000. 120 units were consented but only 86 were actually built. It is considered that the proposed residential use would be an efficient re-use of land, and that the number of dwellings being proposed will not result in an over development of this sensitive site. It is also considered that a layout can be achieved that secures the amenities and privacy of existing residents and that the new dwellings can be designed and orientated so as to avoid issues of over-looking or other forms of unneighbourly development. These are matters that can be properly secured at the detailed, reserved matters stage.

SEPARATION DISTANCES

As this is a full outline application, the details relating to separation distances are not set out or measurable within these proposals. However, it is considered that a layout can be achieved that would satisfy the Council's normal requirements for securing sufficient privacy & amenity interfaces between new and existing dwellings. Habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. If there are differences in land levels or where development adjoins that of different ridge height, such as three-storey development adjacent to two-storey property, a greater separation should be provided. However, it is proposed that the heights of the new dwellings will reflect in scale and layout as those laid out on the adjacent site. Therefore, 3-storey dwellings would be located adjacent to existing 3-storey dwellings whilst the heights of the dwellings would decrease as the development moves from the centre of the site to its perimeters, where the dwellings would be no more than 2-storey in character. This would also assist in ensuring the impact of the proposals on the openness of the Green Belt is kept to an absolute minimum.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposal for the erection of up to 55 dwellings is unlikely to generate significant additional traffic movements in comparison to the sites existing use as a college of further education. The existing traffic signal junction at New Chester Road (A41) & Torr Drive is assessed to work well & well within capacity. Although the indicative layout is acceptable in principle, the applicant(s) should agree full details of any road layout and traffic calming measures with the local authority prior to the submission of reserved matters applications. The Director of Technical Services (Traffic and Transportation Division) has considered the proposals, including the Transport Assessment, and is satisfied that the proposals will not have any detrimental impact upon highway safety or have any adverse impact on the local highway network.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The site contains a large number and variety of mature and semi-mature trees, with a substantial area of woodland located in the western part of the site. There are a number of individual Tree Preservation Orders on trees to the south eastern and south western boundaries of that part of the application site that is defined as a Major Developed Site in the UDP. Site boundaries to the south west, west and the north west are defined by 3 to 4 metres high hedges, which delineate the boundary of the application site with Eastham Lodge Golf Course. To the north lies Eastham Woods, which is part of Eastham Country Park (a designated Site of Biological Importance).

The two principal issues relating to the environment of the site are the number of trees on the application site and in the adjacent woodland, together with the mature hedgerows along the site's perimeters, and also the presence of a number of bat species around the application site, particularly in the woodlands north of the site. Bats are a European Protected Species. An Ecology Report and Phase I Habitat Survey accompany this planning application. These reviewed existing buildings and the mature woodlands within the site to understand their potential for bat roosts. These reports recommend that the woodlands and the hedgerows be retained and enhanced as they provide the opportunity for bat foraging. No evidence was found that indicated the existing buildings were being used by bats. The Ecology Report also recommends that bat roost and bird box provision would be particularly useful and it is considered that these can be secured with a suitably worded condition. Natural England's Standing Advice Species Sheet: Bats also provides additional advice and guidance in relation to mitigation strategies and/or measures which would further lessen any potential impacts on bats, which again could be translated to suitably worded planning conditions.

The application has also been assessed against any risk of flooding and a Flood Risk Assessment

has been submitted with the application. This Assessment presents a detailed discussion of a number of Sustainable Urban Drainage Systems (SUDS) options that could be incorporated into the scheme to allow attenuation for the shorter more intense storms. Since this is a full Outline application, a full drainage scheme has not been put forward, however a final drainage scheme would be required as part of the submission of reserved matters applications to ensure the site is properly and sustainably drained in the future.

It is considered that the relevant environmental and sustainability elements of the proposals have been properly considered by the applicants which demonstrate that the sites redevelopment for residential development does not represent any adverse impact to either the natural environment or the sustainable future of the site.

HOUSING ISSUES

The application site falls outside of the Council's regeneration priority areas. However, the Council Interim Planning Policy for New Housing Development sets out exception criteria that may be considered. Principal amongst these are the four criteria set out at exception (d) of the Interim Planning Policy. The redevelopment of the application site for residential development would not harm the Council's wider regeneration initiatives. The scale of the development is low (only 55 homes as a maximum) and is mainly focused upon high value family and/or 'executive' homes (in keeping with the existing residential development to the east of the application site) although there will also be a proportion of affordable housing included within the scheme. The development will not harm the character of the area – it will sit adjacent to and fully integrate with adjoining residential development. The design, scale and character of the proposals will be consistent with and complimentary to the adjacent housing. The proposed use will have a more comfortable relationship with adjacent housing than the existing educational use and will create a cohesive residential neighbourhood. The redevelopment will also assist the regeneration of the site. As discussed above, the campus at Carlett Park has become surplus to Wirral Metropolitan College's requirements as it is no longer fit for purpose, representing a significant constraint on the College to offer the highest educational opportunities. Its use as an educational facility can no longer be sustained and the College will vacate the premises in 2012. As such, with redevelopment proposals in place, there is a high uncertainty relating to the future of the site which represents a risk that the site would be left vacant (or at best, substantially underused) which would generate associated security and amenity concerns, with the existing college falling into disrepair. This would have a negative impact on the area and the amenities of adjacent residential properties. It is considered that residential redevelopment of the campus site would have a positive effect on the visual amenities of the area, with the new dwellings being more in character with the site's surroundings. Finally, the need for increased and enhanced housing provision, both in terms of quality and choice, is identified. The development proposals would make a notable contribution to the Council's housing targets, in terms of both numbers and choice.

AFFORDABLE HOUSING

The need for more affordable housing is a highly publicised issue across the UK. Wirral has a substantial need for affordable housing within the Borough. UDP Policy HS6 (Affordable Housing) currently requires an on-site contribution for schemes over 1 hectare based on individual viability assessments. Whilst there is a need for the College to maximize the financial benefits through the sale of the Carlett Park site to secure its wider educational gains, a viability assessment has been undertaken by the College with regards the provision of affordable housing, and the proposals are able to deliver an element of affordable provision within the site.

The Council's Strategic Housing Market Assessment (2010) found there to be a very significant housing need in the Borough with a high target for affordable housing provision being justified. That Assessment recommended a target of 40% of new build housing being affordable. The Affordable Housing Viability Study (2010) recognizes the current limitation associated with value and cost and therefore, at present, advises that it would be possible to sustain a target of 20% affordable housing, which has informed the emerging Core Strategy. Whilst long term aspirations of 40% affordable housing remain, an interim target of 20% is currently in place (although this is subject to site specific viability).

The proposed scheme is up to 55 new dwellings, and of this 5% is proposed to be affordable housing. At 55 units, this would mean 3 units being affordable. The development proposals being put forward

with this application have been submitted with an Affordable Housing Statement, together with considerable financial reporting which supports that Assessment. The proposals envisage family housing with no apartments proposed. The proportion of affordable housing being proposed has been determined by reference to viability considerations and the College's strategy to substantially enhance the quality and efficiency of its accommodation at Twelve Quays and Conway Park, once the College have decanted from the Carlett Park campus. The financial figures and viability appraisals have been independently assessed on behalf of the Council. The independent review of the appraisals have confirmed that the residual calculations submitted prove that the scheme will only support 5% affordable units, based on utilizing the residual value to cross fund the works required to Twelve Quays and Conway Park campuses in lieu of having to fund a land sales purchase. If any higher percentage of affordable units were to be included in the scheme then the required residual value will not be achieved.

HERITAGE ISSUES

The Chapel of the Good Shepherd is a listed building (Grade II). It used to be attached to a manor house that occupied this site in the 19th century. There are 3 Irish Yew trees in the vicinity of the chapel which are likely to be contemporary with the chapel itself and may have formed part of the formal gardens to the former manor house. There have been concerns raised that no provision has been made for the protection of this chapel. However, this listed building provides an important feature within the application and the adjacent residential development. It is essential that this building is retained. The application proposals involve no physical impact upon the listed chapel, and as part of the reserved matters applications for layout and appearance, the effect of any future development on the setting of this building must be considered. With this in mind, therefore, the landscaped area immediately surrounding the chapel should be retained unaltered and the degree of off-set from the new residential development must be directly comparable to that which exists between the chapel and the existing residential properties. It can be argued that the poor architectural quality of the existing college buildings make little, if any, positive contribution to the setting of the chapel. Therefore, new residential development, in keeping with the scale, design and appearance of the existing dwellings, would contribute to a more cohesive and integrated setting around the chapel that would make a positive contribution in this part of the development.

In respect of any future use for the chapel, the College has not sought to specify this as part of their application. However, the College has engaged with interested parties and also posed the future use of the chapel during the public exhibition it held into its proposals for the redevelopment of the campus prior to the submission of this application. The College has agreed that any Section 106 legal agreement should include provision for the submission of a scheme to be submitted to and approved by the local planning authority that looks at the retention and future use of the chapel, together with a programme for its long-term maintenance. This will ensure the preservation of this listed building, which accords with Policy CH1 of the adopted Wirral Unitary Development Plan.

SECTION 106 AGREEMENT

As outlined above, should Members be minded to give approval for these proposals, such a grant of outline permission would need to be subject to a Section 106 Agreement. This Agreement would address two principal matters:

- Ensuring that all value obtained by Wirral Metropolitan College from the sale and/or redevelopment of the Carlett Park campus is invested back into its estate and operations; and
- A scheme submitted to identify a future use and programme for long-term maintenance of the Chapel of the Good Shepherd, a grade II listed building.

In these regards it is considered that a scheme shall be submitted to and approved in writing by the Local Planning Authority that identifies an alternative use or uses for the Chapel of the Good Shepherd and mechanisms put in place to ensure its ongoing and future maintenance. In terms of the reinvestment of land value secured, the College shall confirm to the local planning authority when the site is sold and the College is in receipt of the sales value within a time period to be agreed with the local planning authority. Following that confirmation, the College shall then provide details to the local planning authority confirming that refurbishment & reconfiguration works have been undertaken and completed at the Twelve Quays and Conway Park campuses.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

This report has outlined the rationale behind these proposals being put forward by the Wirral Metropolitan College. It has detailed the relationship between the proposed redevelopment of this Carlett Park campus for residential development and the College's investment programme for their remaining campuses at Twelve Quays and Conway Park. It is considered the redevelopment of the site would present an opportunity for a more cohesive and sympathetic form of development when seen in context with the adjacent, existing residential development. Whilst the site sits within the Green Belt, the majority of the site lies within the Major Developed Site (MDS) where redevelopment is acceptable in principle. A small part of the site sits outside of the MDS but the dwellings on this part of the site would be kept to a 2-storey maximum and that residential development would not harm the openness of the Green Belt or result in any unacceptable harm as a result. It is considered that very special circumstance can be proven, whereby those material considerations that can be found to outweigh the policy conflict relate to the College's investment and refurbishment programme. The redevelopment will provide essential funding, that cannot be raised elsewhere without putting the College under considerable financial risk, that will allow the College to enhance its educational offer and reinforce the College's role in education within the Borough. It is considered that the proposals offer a real opportunity to make a significant contribution to social, economic and environmental objectives, both directly and indirectly, that sits positively with the Government's objectives for achieving sustainable development.

Summary of Decision:

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

The proposals comprise an outline application for the erection of upto 55 dwellings. The development proposed will deliver a mix of new homes for private sale and a proportion of affordable housing. It is considered that the proposals will fully integrate with and provide a more appropriate environment for the adjacent existing residential development and will make a positive contribution to the Borough's housing supply requirements. The proposals form a fundamental part of Wirral Metropolitan College's objectives to enhance its educational role within the Borough through the development of their business plan and estates strategy; the rationalisation of its estates and enhancement of accommodation and educational offer at Twelve Quays and Conway Park campuses. The redevelopment of Carlett Park campus will facilitate the substantial enhancement of the College's accommodation and teaching/training function through the modernisation of its facilities at its remaining two campuses. The application has been assessed having regard to the National Planning Policy Framework and is considered to meet the three dimensions to sustainable development, particularly in supporting strong, vibrant and healthy communities, by providing a supply of housing to meet the needs of present and future generations, and by contributing to protecting and enhancing our natural, built and historic environment. The proposals have also been assessed against relevant policies contained within the Regional Spatial Strategy and the Wirral Unitary Development Plan. Policy GB8 (Major Developed Site within the Green Belt) allows for redevelopment and it is considered that the development accords with the principles and the spirit of Policy GB8 and Green Belt policy.

Recommended Decision: **Approve subject to a S106 Agreement**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (a) Layout
 - (b) Scale
 - (c) Appearance
 - (d) Access and
 - (e) Landscaping

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

3. The detailed plans submitted as reserved matters shall include a survey of existing and proposed ground levels, sections across the site and details of the finished slab level for each property. The ground levels across the site and finished slab levels for each property shall be as per the approved plans.

Reason: In the interests of privacy and amenity of neighbouring occupiers and to ensure that the development complies with Policy HS4 of the Wirral Unitary Development Plan.

4. The detailed landscaping plans submitted as reserved matters shall include:
 - (i) details of boundary treatments and hard surfaces
 - (ii) the location, size and species of all trees to be planted
 - (iii) the location, size, species and density of all shrub and ground cover planting
 - (iv) a schedule of implementation

Reason: In the interests of visual amenity and to ensure that the development complies with Policy HS 4 of the Wirral Unitary Development Plan.

5. Before any construction commences, samples of the facing (brick), roofing and window 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.

6. Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policy GR7 of the Wirral Unitary Development Plan.

7. Before the development is commenced, a method statement detailing measures to be taken during construction to protect the health of the existing trees shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved method statement shall be implemented in full throughout the construction

phase.

Reason: To prevent damage to trees in the interests of the visual amenity of the area and to comply with Policy GR7 of the Wirral Unitary Development Plan.

8. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is sooner, for its permitted use. The approved landscape management plan shall be carried out as approved.

Reason: To ensure landscape features are properly considered and protected and to accord with Policy GR5 of the Wirral Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

10. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed for each of the dwellings hereby approved as and when they are completed and before each relevant dwelling is first occupied. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To safeguard the visual amenities of the locality and the privacy/amenities of the existing adjoining and proposed new properties and to accord with Policy HS4 of the Wirral Unitary Development Plan.

11. Prior to the demolition of the existing building/buildings a schedule of demolition works shall be submitted to and agreed in writing with the Local Planning Authority. The demolition shall then be carried out strictly in accordance with the agreed schedule.

Reason: To prevent unreasonable noise and disturbance to nearby occupants in the interests of residential amenity and to comply with Policy HS4 in the Wirral Unitary Development Plan.

12. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the drainage system has been constructed and completed in accordance with the approved plans.

Reason: To prevent pollution of controlled waters and to accord with Policy HS4 of the Wirral Unitary Development Plan.

13. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of adjoining residents and having regard to Policy HS4 of the Wirral Unitary Development Plan.

14. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- i. the number, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 5% of housing units;
 - ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii. the arrangements for the transfer of the affordable housing to an affordable housing provider/Registered Social Landlord;
 - iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v. the occupancy criteria to be used for determining the identity of occupiers of affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: Having regard to the Council's requirements for the provision of affordable housing and having regard to Policy HS6 of the Wirral Unitary Development Plan.

15. Before any work hereby authorised begins, steps shall be taken to secure the safety and stability of the Chapel of the Good Shepherd (which is to be permanently retained) to provide protection for the building during the progress of demolition works of the existing campus buildings and subsequent construction works of the new dwellings hereby approved. Such steps shall, where necessary, include measures to support any wall or vertical surface; any floor, roof or horizontal surface.

Reason: In the interests of the preservation and protection of a grade II listed building and having regard to Policy CH1 of the Wirral Unitary Development Plan.

16. The total gross footprint of all the dwellings hereby approved shall not exceed 4043 square metres.

Reason: In the interests of the openness of the Green Belt and having regard to Policies GB8 and GB9 of the Wirral Unitary Development Plan.

17. No dwelling hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and its Technical Guidance Note (or any subsequent version). Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface water;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure a satisfactory means of drainage and having regard to Policy HS4 of the Wirral Unitary Development Plan.

18. Prior to any works commencing on site, details of the installation of bat boxes and bat bricks, including their locations, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the biodiversity of the area and having regard to Policy NC7 of the Wirral Unitary Development Plan.

19. Having regard to the sites location under the flight path to and from Liverpool John Lennon Airport, before development commences, details of a scheme of works to minimise noise pollution and disturbance to the new dwellings, including details of acoustic glazing, shall be submitted to and approved in writing by the Local Planning Authority and once approved shall only be carried out in full accordance with such details and shall be permanently retained thereafter.

Reason: In the interests of the amenities of future occupiers and having regard to Policy PO4 of the Wirral Unitary Development Plan.

20. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A-05-010 Revision B; A-16-10 Revision B; A-05-012 Revision A & A-05-019 Revision A.

Reason: For the avoidance of any doubt and having regards to Policies GB8, GB9, HS4 and GR7 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 08/03/2012 11:19:43

Expiry Date: 22/03/2012

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Planning Committee

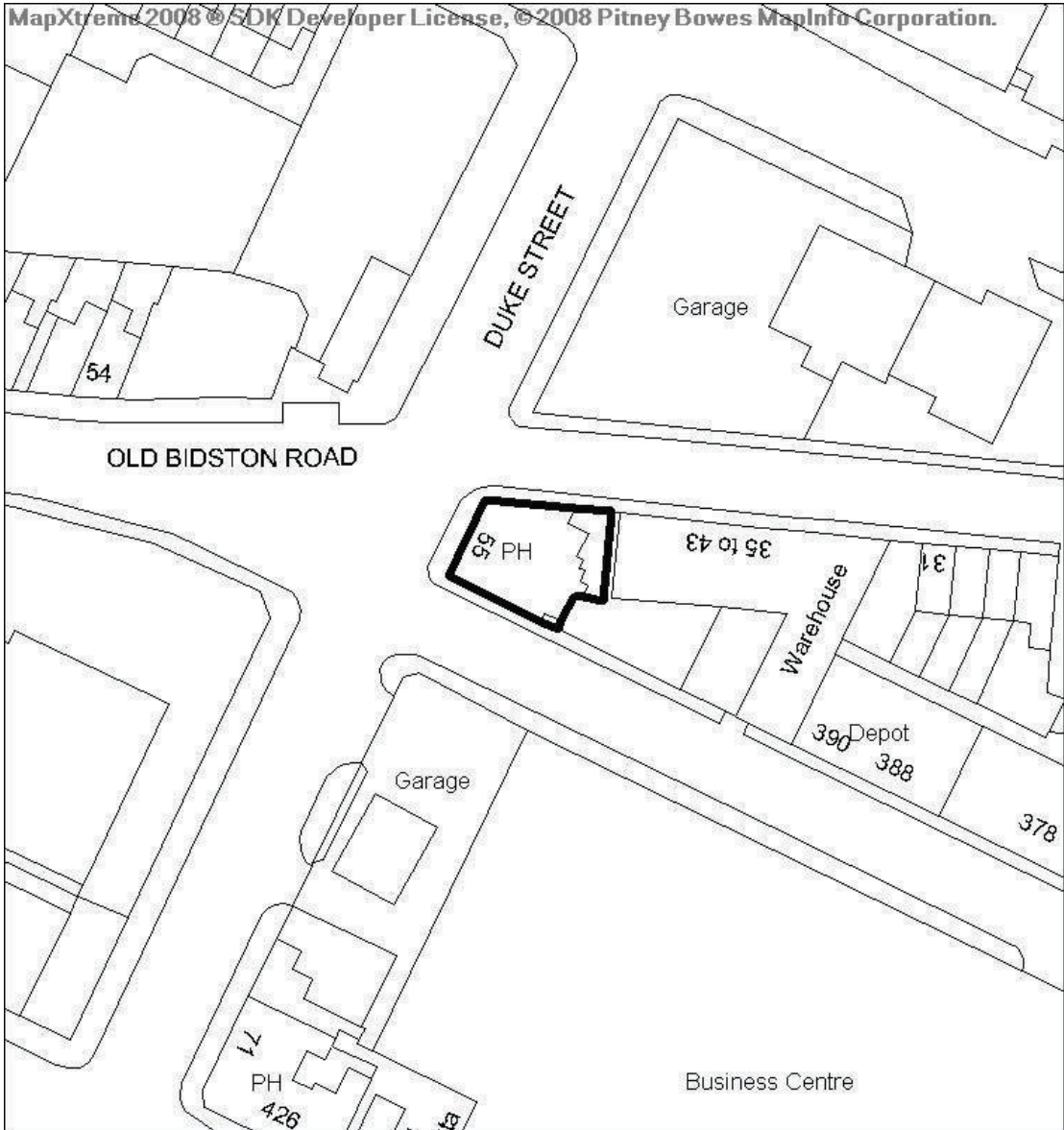
24 April 2012

Reference: APP/12/00145	Area Team: North Team	Case Officer: Mrs S Lacey	Ward: Bidston and St James
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Location: 55 DUKE STREET, BIRKENHEAD, CH41 8BW
Proposal: Change of use of vacant Public House. Ground floor to be used for Offices (Use Class B1), with 1no. room at first floor level. Houses in Multiple Occupation (Use Class C4), providing 6no. bedrooms at first and second floor.

Applicant: Wirral Churches' ARK Project
Agent : SMC Associates

Site Plan:



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Development Plan allocation and policies:

Primarily Industrial Area

Planning History:

None relevant to this application.

Summary Of Representations and Consultations Received:**REPRESENTATIONS:**

Having regard to the Council's Guidance on Publicity for Applications, 8 notifications were sent to adjoining properties. A Site Notice was also displayed. A qualifying petition of 60 signatures from separate addresses was received and an individual objection from 35-39 Old Bidston Road have been received on the following grounds:

1. The proposal will be within close proximity of businesses and residents who have concerns of break-in's and anti-social behaviour;
2. The parking situation is not good here and very often our staff cannot park by our premises, we would not care for this problem to be escalated any further;
3. The proposal will result in an increase in crime and loitering after business hours.

Councillor Hodson objected to the application on the grounds the application is contrary to policy EM8 of the Wirral Unitary Development Plan.

CONSULTATIONS:

The Director of Technical Services (Traffic & Transportation Division): No objection

The Director of Law, HR & Asset Management (Pollution Control Division): No objection

Merseyside Police Architectural Liaison Unit: No objection. The following was recommended:

The entrance to the residential part of the building should be illuminated and have a lockable door. There should be a layer of security from the rear of the building to the public side with a gate and fencing. Consideration should be given to the installation of CCTV to control the access and use of the building. There should be an electronic access control system to ensure only residents and their intended visitors are admitted. The management of the premises should ensure that incidents of crime and any disorder are recorded & investigated & where offenders are identified the person responsible should be excluded.

Merseyside Cycling Campaign: Requested secure internal covered cycle storage for long term use by residents and staff.

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

A qualifying petition of 60 signatures from separate addresses has been received. Councillor Hodson requested this application be removed from delegation and considered by the Planning Committee on the grounds the application is contrary to policy EM8 of the Wirral UDP.

INTRODUCTION

The application proposes a change of use from a public house (currently vacant) to house in multiple occupation (HMO) with 6no. bedrooms and shared facilities at first and second floor, and a B1 office in support of the HMO at ground and second floor.

PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle subject to the provisions of policies HS14, EM8, EM9 and PO4 of the adopted Wirral Unitary Development Plan.

SITE AND SURROUNDINGS

The property is a 3 storey former hotel close to the docks area of the town, on the corner of the junction with Duke Street and Old Bidston Road. The first and second floors of the building are residential in use. The ground floor was last used as a Public House. Surroundings are mixed; there is a variety of light and heavy industrial units with some housing nearby. The proposal is to convert

the building to B1 Offices and a House of Multiple Occupation (HMO) to use as 6 bed-sitting rooms.

POLICY CONTEXT

The property is in a Primarily Industrial Area as designated in the Wirral Unitary Development Plan and policies EM8: Development within Primarily Industrial Areas and EM9: Non-Employment Uses in Industrial Areas are relevant. Policy EM8 supports B1 - business use, B2 - general industrial use and B8 – storage and distribution uses. Policy EM9 says, in such policy areas, proposals for retail or residential development will not be permitted to safeguard the long term supply of employment land.

The Wirral Employment Land Study had shown there was an under supply of industrial land in the Wirral. The Study suggested the site area, the Cleveland Street Corridor, was suitable for B1 and B8 uses. New non-industrial uses are to be resisted.

Policy HS14 Houses in Multiple Occupation permits the conversion of existing buildings to multiple occupancy subject to the property being of a sufficient size and not resulting in a detrimental change in the character of the area. No more than 20% of properties within a street block should be within multiple occupation to protect the character of the area.

Policy PO4 deals with noise sensitive development.

APPEARANCE AND AMENITY ISSUES

Objections have been received citing multiple occupation may have a damaging impact on residential and commercial surroundings. Concerns with HMOs often regard potential tenants, increased activity in terms of comings and goings and general noise, crime and anti-social behaviour.

UDP policy HS14 restricts the number of converted properties in a given residential road; no more than 20% of properties within a street block should be within multiple occupation to protect the character of the area. The proposal will not result in a private dwelling having a HMO on both sides. The majority of properties are self-contained residential units and industrial units and it is considered the proposal will not result in a concentration of HMO's in the area, nor adversely affect the character of the area.

There are no external alterations proposed, and there will be very little visual alteration to the property. The property is detached and sound emanating from the property would not be likely to give rise to unacceptable noise disturbance. The use is considered to generate more activity than a traditional family house, however given the previous use as a public house there was a previous high level of activity. Consequently it is considered that the level of activity would not be so significant that it would impact adversely on the living conditions of local residents.

It should be noted the application is not proposing a secure residential institution. The use of a building for provision of secure residential accommodation (e.g. a prison, young offenders' institution, detention centre, secure training centre, custody centre etc) would require a separate planning application under the Town and Country Planning Use Class Order 2010. There is no evidence that the change of use of the property would lead to an increase in crime, in fact a wide and varied range of land uses could help to create environments that were lively and well-used, thus deterring criminal activity. The Merseyside Police Architectural Liaison Unit had no objection to the proposal but did recommend lighting, CCTV, gates, electronic accesses and good management when disorder occurs. This information has been passed to the applicant.

The existing building is considered to be of a scale that can accommodate the proposed 6no. bedsits. The size of the building and the number of occupants are considered not to generate a level of activity, which could affect the privacy and quietness neighbouring residents were entitled to expect. Government policy encourages a flexible approach to standards, and the proposed room sizes and shared facilities are considered acceptable. The existing windows are utilised and provide a good level of outlook and daylight. No internal vertical partitions cutting across windows are proposed. There is no provision of amenity space, however the site is within 400 metres of Birkenhead Park. There is a small rear yard for dustbin storage and cycle parking space for staff and residents.

A condition to limit on the number of people living in a house where multiple occupancy is permitted may resolve concerns that the intensity of occupancy of premises would increase in the future without

the need for further planning permission, thus placing greater strain on facilities (particularly parking), and the amenity of the area.

The 2 upper floors of the 3 storey appeal building are historically in use as residential accommodation, which the Council accepts as the lawful status of that use. It is therefore considered that allowing the proposed HMO at first and second floor would not cause significant conflict with UDP policy EM8 or EM9.

The presence of industrial uses nearby are considered not to result in unacceptable living conditions for future residents. Noise will be limited to daytime hours. This is a situation where incoming residents will be aware of the location and the proximity of industry, which should cause fewer problems than might arise where a new industrial activity starts up close to existing housing. In addition there are residential properties nearly opposite preventing residents of the building from feeling they are living in isolation within an entirely industrial area.

The B1 office use is an acceptable use within an industrial area, and the office is tied into the management of the HMO. Given its scale, location and physical constraints of the site, the office is considered to comply with policies EM8 and EM9.

SEPARATION DISTANCES

SPG11 sets out habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. There is a 41m separation distance to the property opposite (No.54 Old Bidston Road). The proposal will utilise the existing windows. As such it is considered there are no issues regarding loss of privacy or overlooking.

HIGHWAY/TRAFFIC IMPLICATIONS

No parking spaces are provided. The Council's adopted parking standards SPD4 require maximum parking standards, which the proposal complies with. The Director of Technical Services (Traffic Management Division) had no objection to the proposal and did not recommend any conditions. The site is considered a sustainable residential area as it is within walking distance of bus routes, train links and local amenities. There are objections concerned that the proposal would lead to an increase of vehicles being parked in are area where there is limited parking, however there is no evidence that the proposal would lead to illegal or inconvenient parking. Given the previous commercial use of the property it is considered the use of the property as a multiple occupancy dwelling would not result in significant road safety or traffic implications for the area. In HMO cases it may be asserted that residents would have a low level of car ownership. However, the LPA cannot control the age, occupation or lifestyle of persons occupying a property. Given the previous use of the building as a public house which would have experienced staff and visitor parking, the use of the property as offices and multiple occupancy dwelling would not result in significant road safety or traffic implications for the area.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposed building is detached and as such soundproofing is not required. The Director of Law, HR and Asset Management (Environmental Health) had no objection to the proposal and did not request planning conditions. The proposal represents an opportunity to reinstate a use in a vacant building which has the potential to improve the character of the area. There are no environmental or sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered detrimental to the character of the residential area, or cause nuisance to the surrounding area by virtue of its scale and use. It is considered that allowing the proposed HMO at first and second floor would not cause significant conflict UDP policies. The proposal complies with Council policy HS14 Houses in Multiple Occupation, EM8 Development within Primarily Industrial Areas and EM9 Non-Employment Uses in Industrial Areas of the adopted Wirral Unitary Development Plan.

Summary of Decision:

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

The proposal is not considered detrimental to the character of the residential area, or cause nuisance to the surrounding area by virtue of its scale and use. It is considered that allowing the proposed HMO at first and second floor would not cause significant conflict UDP policies. The proposal complies with Council policy HS14 Houses in Multiple Occupation, EM8 Development within Primarily Industrial Areas and EM9 Non-Employment Uses in Industrial Areas of the adopted Wirral Unitary Development Plan.

**Recommended Approve
Decision:**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The HMO development hereby permitted shall be occupied by a maximum of 6 no. persons

Reason: In the interest of residential amenity

3. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 in the Wirral Unitary Development Plan

Further Notes for Committee:

Last Comments By: 22/03/2012 17:16:51
Expiry Date: 02/04/2012

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Planning Committee

24 April 2012

Reference:
APP/12/00321

Area Team:
North Team

Case Officer:
Mrs S Day

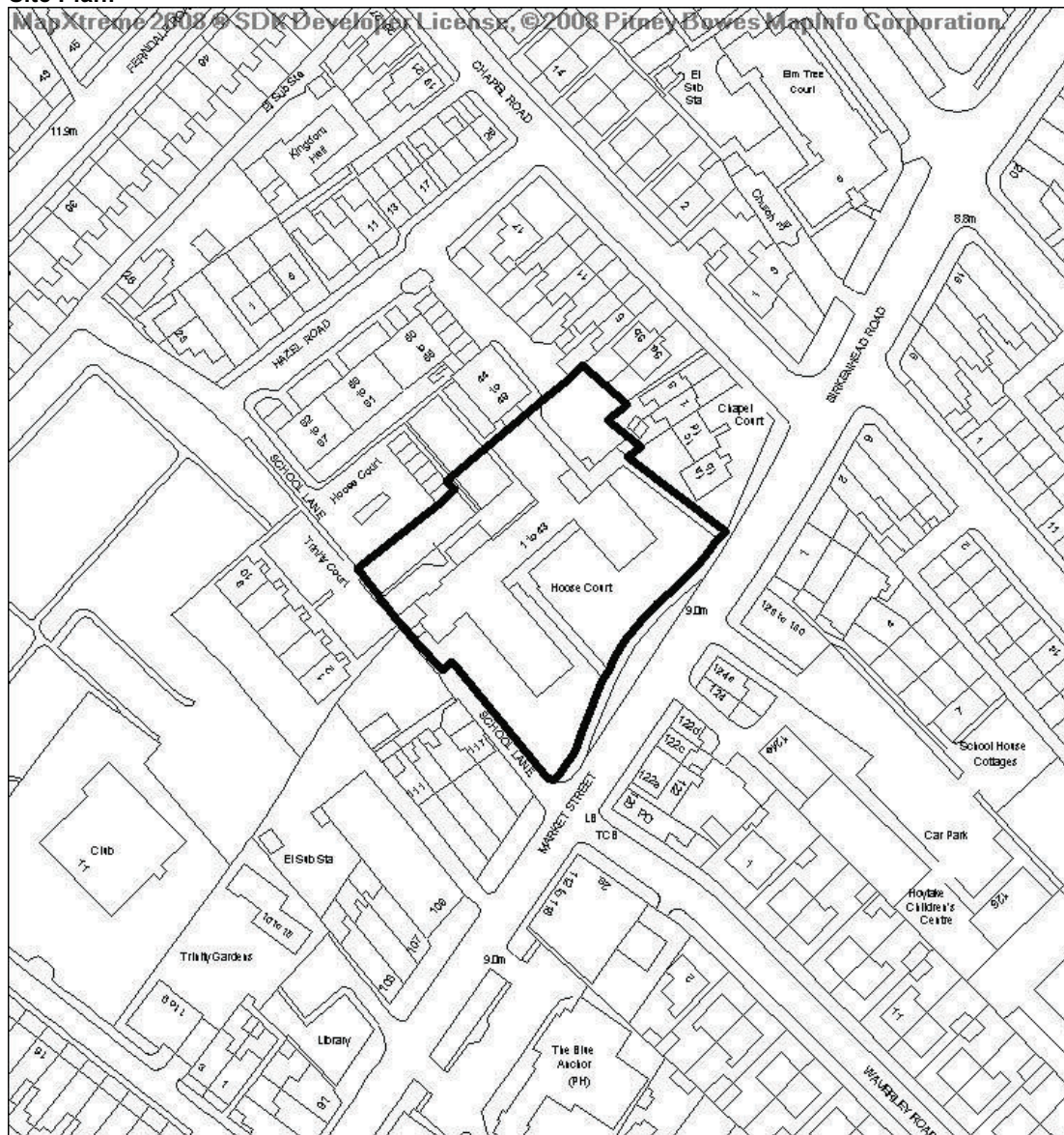
Ward:
Hoylake and Meols

Location: Hoose Court, MARKET STREET, HOYLAKE

Proposal: Erection of 32no. 2 bedroom flats including associated car parking and landscaping

Applicant: Wirral Partnership Homes
Agent : Michael Dyson Associates

Site Plan:



Development Plan allocation and policies:

Primarily Residential Area

Planning History:

APP/11/01513 - Erection of 32 flats and car parking - withdrawn

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Councils Guidance on Publicity for Applications, letters were sent to adjacent properties and a site notice displayed. Objections have been received from 12 Grosvenor Rd, 1 Chapel Court and 56 Hoose Court. The reasons for objection relate to:-

1. Traffic congestion and conflict with pedestrians using school
2. Increase in on street parking
3. Not consulted by the applicant

CONSULTATIONS

Director of Technical Services (Traffic & Transportation Division) - No objections

Director of Law, HR and Asset Management (Pollution Control Division) - No objections

Director's Comments:

REASON FOR REFERRAL

This application seeks permission for the erection of 32 flats which is defined as Major Development and is therefore required to be determined by the Planning Committee under the provisions of the Council's adopted Scheme of Delegation for Planning Applications.

INTRODUCTION

The proposed development takes the form of a four storey building containing 32 flats. The proposals are a resubmission of a similar scheme which was withdrawn. Changes have been made to the layout, design and parking area. The building is set back from Market Street behind the building line of adjacent buildings. The proposal includes 32 parking spaces which are located in a car park to the front of the building which takes access from Market Street. There is a landscaped buffer between the car park and Market Street which retains some existing trees and will be supplemented by new planting. The applicant is a RSL and the development would consist of 100% affordable accommodation.

PRINCIPLE OF DEVELOPMENT

The application site lies within an area allocated for primarily residential uses but outside of the identified Housing regeneration priority areas. As such, the proposed development would be contrary to the Interim Housing Policy unless it can be demonstrated that the proposal satisfies the criteria which would permit approval outside the regeneration priority areas. If this criteria is satisfied, the proposal would be acceptable in principle subject to Policy HS4 and the recently published National Planning Policy Framework (NPPF).

SITE AND SURROUNDINGS

The application site was until relatively recently occupied by a three storey development of 43 sheltered units. The former building was an irregular shape with three storey elements breaking forward towards Market Street and to the rear of the site. Access to the site is from Chapel Road and Hazel Road to the rear and side of the site. This access served the parking area and garages for the sheltered accommodation and also provides access to the parking for the remaining accommodation which originally formed part of Hoose Court. The remaining sheltered flats to the rear are mainly three storey whilst the houses closest to the site are mainly two storey.

POLICY CONTEXT

The proposal is for the erection of flats and is assessed primarily against the following policies.

Wirral Unitary Development Plan

Policy HS4 - Criteria for new housing development. This 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.

Policy TR9 - Sets out the requirement for off street parking provision within new development and road safety and traffic management considerations.

Policy GR5 - This policy establishes the requirement for new developments to make a positive visual statement through new landscaping and the protection of existing landscape features.

Supplementary Planning Document 2: Designing for Self-Contained Flat Developments and Conversions. This establishes more specifically the considerations which should be applied to new build flats in terms of design, amenity space and parking.

Interim Planning Policy for New Housing Development (IHP)

The IHP Directs new residential development to the Regeneration priority areas. Residential development would only be acceptable if it satisfies the following criteria:-

- i) The proposal will not harm regeneration in adjoining areas
- ii) The proposal will not harm the character of the adjoining area
- iii) That the proposal will assist the regeneration of the site
- iv) The proposal will meet an identified local housing need

Regional Policy

The site is identified as part of the rural are in the Liverpool City Region where RSS Policy LCR4 requires plans and strategies to ensure there is provision of housing to address barriers to affordability and meet identified local need. Development, under RSS Policy DP4, is also expected to accord with a sequential approach where existing building and previously developed land is used first.

The National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012 and supports sustainable housing development which encompasses good design and widens the choice of high quality homes. Development should and make a positive contribution to an area and use opportunities to improve the character and quality of an area.

The proposed development represents a sustainable regeneration opportunity by the re-use of a brownfield site within an existing residential area. Access to existing transport and community facilities exists and the proposal for 100% affordable housing meets a Borough wide need identified in the Strategic Housing Market Assessment. This accords with the criteria in the IHP, RSS Policies DP4 and LCR4 and approach the outlined in NPPF. The regeneration of the site weighs in favour of a development..

The design of the building, the provision of amenity and parking space , together with the relationship to existing properties meets the criteria of the UDP policies.

APPEARANCE AND AMENITY ISSUES

The proposed building takes the form of two four storey buildings of brick and render which are joined centrally by a glazed link. The buildings have hipped roofs with the upper floor dormers set into the eaves of the roof. The deep set back from Market Street enables some of the existing landscaping to remain with additional landscaping proposed. Thus the impact of the building will be softened by both distance from the pavement (at between 20 and 30 metres) and the proposed and existing landscaping.

Whilst the building at four storey, is higher than the adjacent buildings, it is well designed with different horizontal banding of materials, varied roof line and articulation of the elevation to break up its mass. Four storey development does occur elsewhere in Hoylake and on this main frontage is acceptable. Whilst the design is largely similar to the previously withdrawn application, there are a number of changes. The position of the building is set back into the site in a similar position to the building which was previously demolished. This enables parking to take place in front of the building which minimises disturbance to properties to the rear. In addition a landscaped buffer remains to the Market Street frontage.

The amenity space for the flats is now predominantly to the rear of the building affording greater privacy to the residents. The previous design of the building included the majority of the fourth floor in the roof space but with two raised roof features to the centre of the front elevation. These features have been removed to allow the roof to maintain the same height throughout with the fourth floor

entirely set into the roof space. This helps to reduce the overall bulk and massing of the building to ensure it is in keeping with the larger surrounding buildings in the vicinity of the site.

The building which previously occupied the site was not particularly attractive and did not make a positive contribution to the street scene. The proposed building will enhance the street scene and make a positive visual contribution to Market Street.

SEPARATION DISTANCES

The proposed flats replace a former sheltered development on the site. The site is surrounded on three sides by existing flats and houses however, the proposed development exceeds the usual 21m interface distance between principal elevations and no loss of privacy is anticipated.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no objections to the proposed car parking area and access.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The building will be constructed to achieve a Code for Sustainable homes rating.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed development represents the re-use of a brownfield site to provide 32 affordable homes which accords with the RSS Policies DP4 & LCR4 and the IHP. The design and siting of the building is of a scale which fits in with the surrounding uses without resulting in a loss of amenity for existing properties. The development includes parking, landscaping and amenity space to a standards which satisfies the relevant UDP policies. Whilst the development is not in a regeneration priority area identified for new residential development, the re-use of a previously developed site and the provision of affordable housing weigh in favour of the development and accord with advice given in the NPPF.

Summary of Decision:

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

The proposed development represents the re-use of a brownfield site to provide 32 affordable homes which accords with the advice in The design and siting of the building is of a scale which fits in with the surrounding uses without resulting in a loss of amenity for existing properties. The development includes parking, landscaping and amenity space to a standards which satisfies the relevant UDP policies HS4, TR9 and GR5 and Supplementary Planning Guidance note 2. Whilst the development is not in a regeneration priority area identified for new residential development, the re-use of a previously developed site and the provision of affordable housing weigh in favour of the development and accord with advice given in the NPPF.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Before any construction commences, samples of the facing and roofing 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.

3. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 in the in the Wirral Unitary Development Plan

4. Prior to the commencement of development, a scheme for the provision of affordable housing to be provided, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the occupancy criteria to be used in determining the identity of prospective and successive occupier of the affordable housing and the means by which such occupancy can be enforced. The approved scheme shall be implemented in full and in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to comply with the Interim Planning Policy New Housing Development.

5. No development shall commence until details of the proposed measures to be incorporated within the buildings to achieve 10% of the predicted energy requirements of the site from renewable sources have been submitted to and agreed in writing by the Local Planning Authority, unless it has previously been demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. The development shall be implemented in accordance with the approved details and operated as such thereafter.

Reason: In the interests of minimising the demand for energy from non-renewable sources in accordance with RSS Policy EM18.

6. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy GR5 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 23/04/2012 14:05:15

Expiry Date: 11/06/2012

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Planning Committee

24 April 2012

Reference:
APP/12/00371

Area Team:
North Team

Case Officer:
Mrs S Day

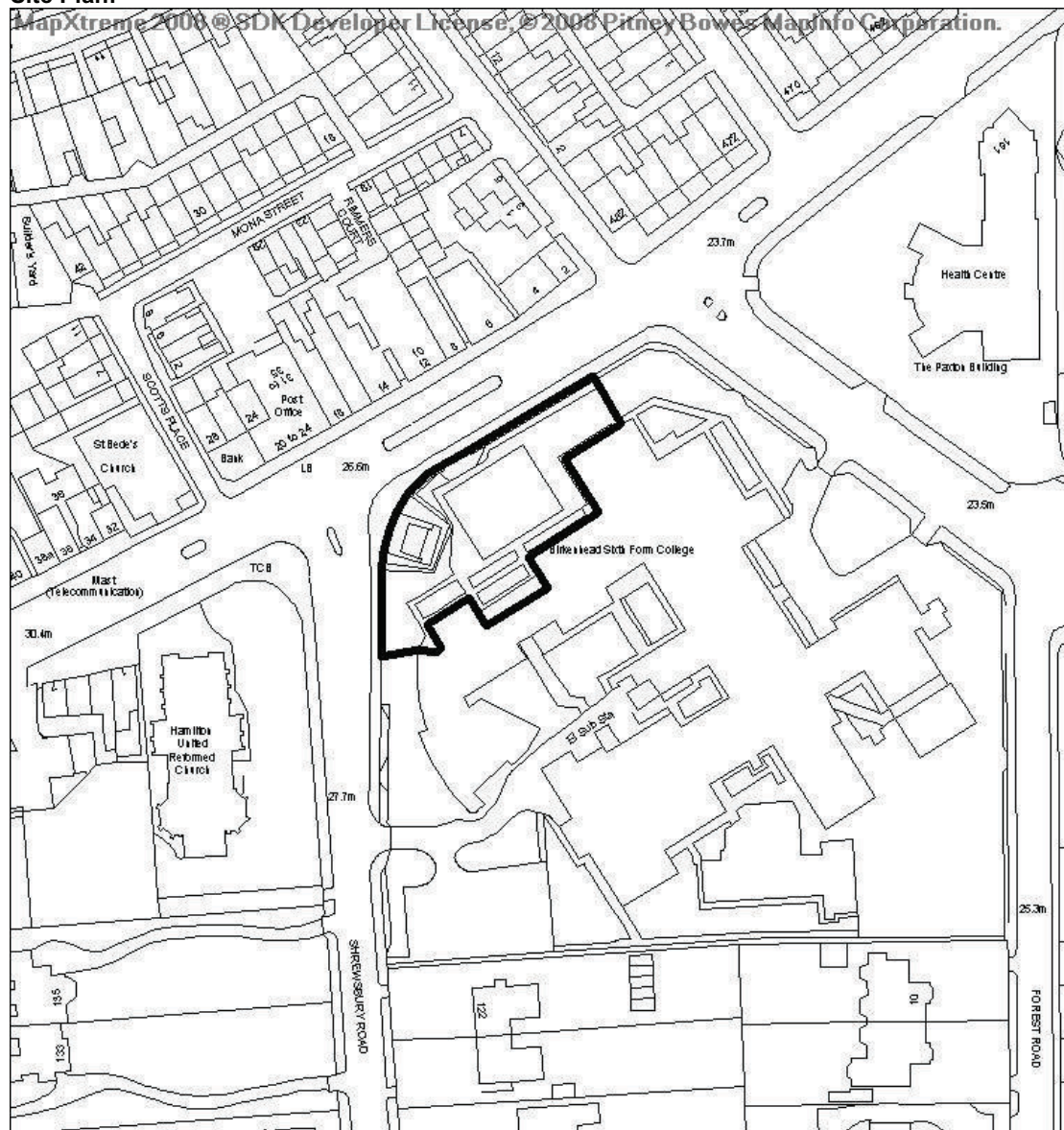
Ward:
Claughton

Location: Birkenhead 6th Form College, PARK ROAD WEST, CLAUGHTON, CH43 8SQ

Proposal: New reception area and art block

Applicant: Birkenhead Sixth Form College
Agent : Ainsley Gomon Architects

Site Plan:



Development Plan allocation and policies:

Primarily Residential Area

Planning History:

None relevant to this application

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Applications, 29 neighbour notification letters were sent to neighbouring properties and a Site Notice was also posted. Since the proposals constitute major development, the application was also advertised in the Wirral Globe. Following consultation, no representations have been received.

CONSULTATIONS

Director of Law, HR & Asset Management (Pollution Control Division) - No objections.

Director of Technical Services - Traffic Management - No objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The proposal is of a size which constitutes Major Development. In accordance with the Council's adopted scheme of delegation, the application must be determined by Planning Committee.

INTRODUCTION

The proposed development consists of a two and three storey extension to the existing college at the junction of Park Road North and Shrewsbury Road. The additions to the building will consist of a new entrance to the site, new staff meeting room and 5 new art rooms.

PRINCIPLE OF DEVELOPMENT

The existing college is located within a primarily residential area. Extensions are permitted in principle subject to the criteria outlined in HS15, non residential uses in primarily residential areas.

SITE AND SURROUNDINGS

The existing site consists mainly of 1960's brick built college buildings. Newer extensions with a more contemporary design have been built within the campus. The height of buildings is predominantly two and single storey with a mix of flat and pitched roofs. The college is situated on a site which occupies the junction of Upton road, Shrewsbury Road and Park Road West. Surrounding uses are a mix of commercial (Upton Road) and residential. Levels vary across the site as a whole and in particular the existing buildings immediately adjacent to the application are lower than the application site.

POLICY CONTEXT

The site is allocated for primarily residential purposes through the Unitary Development Plan, and as such the proposal is assessed against Policy HS15, which sets out the criteria for non-residential uses in residential areas. In general terms, such uses can be acceptable providing they are of a scale which is appropriate to the surrounding area and will not result in a detrimental change to the area or cause nuisance to neighbouring uses.

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and supports sustainable development which encompasses good design. Development should and make a positive contribution to an area and use opportunities to improve the character and quality of an area.

APPEARANCE AND AMENITY ISSUES

The building itself is designed as an extension to existing two storey buildings. The proposal will provide 5 classrooms and a staff meeting room. In addition a new main entrance is proposed on the Park Road North frontage. The existing entrance is accessed through a car park from Park Road West and lacks presence as well as directing students through maneuvering traffic. The new entrance is accessible and makes a stronger statement as the entrance to the college.

The proposed extension has a contemporary design and will consist of a stepped main elevation facing Shrewsbury Road to address a curved building line and make a feature of the corner position. This reflects the design approach taken to the recently approved extensions at the junction of Park

Road North and Park Road West and provides symmetry to the frontage. The scale of the building will match other structures on the site and the use of both brick and render as facing materials will compliment adjacent buildings.

SEPARATION DISTANCES

The nearest residential properties are flats above shops on the opposite side of Park Road North. These are over 25m from the front elevation of the building and further away from the stepped elevations on Shrewsbury Road. This exceeds the required interface distance of 21m and will not result in any loss of privacy.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposals provide the college with improved facilities. Student and staff numbers will remain the same, as will the demand for parking spaces. Due to the new position of the entrance, new cycle parking is proposed and will be secured through condition.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposed building will be constructed using sustainable materials which will be selected for their ability to be recycled. The layout makes the maximum use of natural light and solar gain which will reduce the use of artificial lighting.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed development will provide modern fit for purpose accommodation for the college which will improve facilities on site. The building has been designed to compliment existing buildings and will not result in a loss of amenity for adjacent uses.

Summary of Decision:

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

The application has been assessed having regard to the National Planning Policy Framework and Policy HS15 of the Wirral Unitary Development Plan. It is considered that the proposal would achieve a high quality sustainable design which would accord with NPPF objectives. In addition the proposal is of a scale and design which will not adversely affect surrounding properties and is in accordance with Policy HS15 of the Wirral UDP.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to secure a sustainable approach to staff and student travel.

3. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 in the in the Wirral Unitary Development Plan.

4. Details of materials for all external work including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced. The development shall be constructed in accordance with the approved materials.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

Further Notes for Committee:

Last Comments By: 20/04/2012 10:37:12
Expiry Date: 15/06/2012

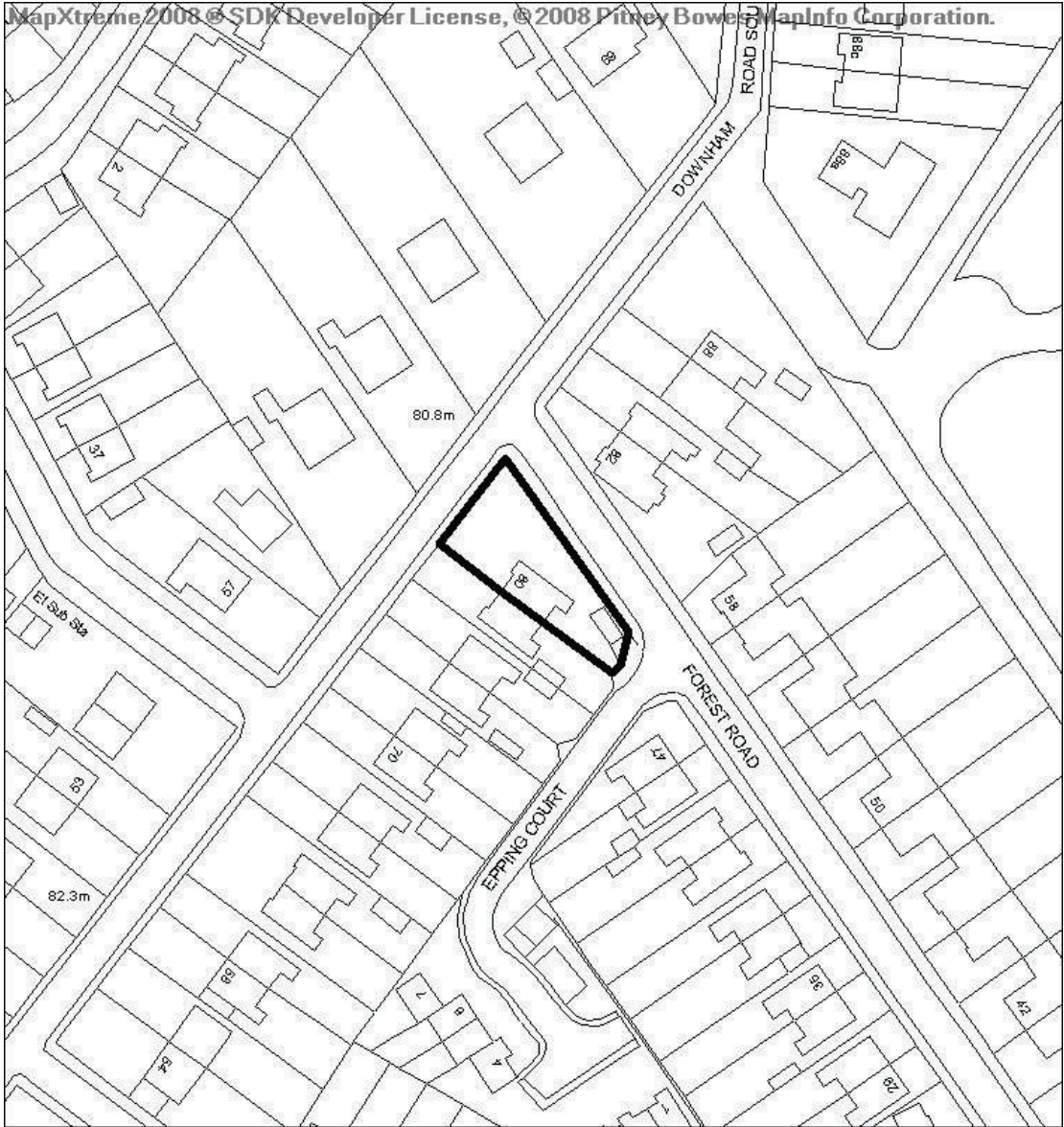
Planning Committee

24 April 2012

Reference: APP/12/00204 **Area Team:** South Team **Case Officer:** Miss A McDougall **Ward:** Heswall

Location: 80 DOWNHAM ROAD SOUTH, HESWALL, CH60 5SG
Proposal: Single storey side extension for dependant relative
Applicant: Mr Derek Williams
Agent : SDA Architects & Surveyors

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
HS11
SPG11

Planning History:

No related planning history

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 8 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report no objections have been received.

CONSULTATIONS:

None required

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council

Director's Comments:

INTRODUCTION

The proposal is for the erection of a single storey side extension, the extension is to provide private but accessible residential accommodation for a relative of the main dwelling.

PRINCIPLE OF DEVELOPMENT

The proposal is for a residential extension which is acceptable in principle.

SITE AND SURROUNDINGS

The existing property is a semi-detached house set on a corner plot, the house has an existing rear and side extension. The house plot is bounded by Downham Road South and Forest Road, the plot is angled and as such is much wider at the front of the dwelling. The house is set over 12m back from the main highway at Downham Road South and the corner plot is at an angle between 7.9m and 5.2m from the side wall of the dwelling.

POLICY CONTEXT

SPG11 - House Extensions

Great care is needed in the design of extensions on corner plots. Such plots often provide an open appearance and greenery and are prominent from both streets. The following criteria for corner plots should be met:

1. The width of the extension should not be more than half the width of the original frontage of the property.
2. The width of the extension should not be more than half the width of the side garden/plot between the property and adjacent highway.

HS11 House Extensions Policy

Proposals for house extensions will be permitted subject to all the following criteria being complied with:

(i) the scale of the extension being appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours' habitable rooms and not so arranged as to result in significant overlooking of neighbouring residential property.

(ii) the materials matching or complementing those of the existing building;

(iii) design features such as lintels, sills, eaves and roof form and line matching or complementing those of the existing building;

(iv) dormer windows if used, being restricted to the rear of the dwelling and not projecting above the ridge, nor occupying the full width of the roof;

(v) flat roofs being restricted to the rear or side of the dwelling and only acceptable on single storey extensions;

(vi) where the rear extension is single storey on the party boundary and the existing dwelling semi-detached, the proposed extension projects a maximum of 3.0 metres from the main face of the existing houses;

(vii) where the rear extension is two storey and the existing house semi-detached, the proposed extension is set back at least 2.5 metres from the party boundary;

(viii) to avoid the effect of 'terracing, where two storey side extensions are added to the sides of semi-detached houses of similar style with a consistent building line and ground level, the first floor of a two storey side extension should be set back at least 1.5 metres from the common boundary; or at least 1.0 metre from the front elevation and 1.0 metre from the common boundary; or at least 2.0 metres from the front elevation;

(ix) single storey extensions on terraced dwellings allowing an adequate area of amenity space to be retained.

APPEARANCE AND AMENITY ISSUES

The proposal is for a single storey side extension to provide additional residential accommodation, there is a private entrance at the side of the extension as well as access from the original house.

The extension projects outward to the side elevation 4.5m and has a bay window to the front that mimics the design to the main house frontage. Having regard to the current householder extension policy the house is on a corner plot and the guidance states that extensions should not extend more than half the width of the side garden or half the width of the frontage of the dwelling. At the widest point the side garden is 7.9m, the proposed extension is 4.5m from the original side elevation. Having regard to the current policy the extension should have a projection of 3.9m out to the side and is therefore 0.6m wider than the guidance note advice.

Having regard to the character of the area and the appearance of the plot, the extension retains a distance of 3.4m to the side boundary and is set back 12m from the front boundary. It is considered that the shortfall of 0.6m when taking into account the guidance that extensions should not project more than half the width of the side garden, will not result in a detrimental impact to the open character of the corner plot. This is mainly due to the design of the extension with a low pitch, retains a good distance to the side boundary and is set back from the front boundary by 12m. There are similar properties within the immediate vicinity that have had side extensions on corner plots that have a greater impact onto the open character of the two street scenes. In this instance assessing the proposal on it's merits and site characteristics the resultant extension retains a good visual break and maintains the open character of the street scene.

The scale of the extension is acceptable having regard to the layout of the plot, the extension does not harm the objectives of the corner plot policy and retains a visual break between the different street scenes.

SEPARATION DISTANCES

Separation distances do not apply in this instance.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

Due to the scale of the plot, the siting and mass of the proposed extension are acceptable, the proposal will not harm the open appearance of either street scene. The proposed scheme is therefore acceptable in terms of Wirral's UDP Policy HS11 and does not harm the objectives of SPG11.

Summary of Decision:

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

Due to the scale of the plot, the siting and mass of the proposed extension are acceptable, the proposal will not harm the open appearance of either street scene. The proposed scheme is therefore acceptable in terms of Wirral's UDP Policy HS11 and does not harm the objectives of SPG11.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

Last Comments By: 29/03/2012 15:10:54

Expiry Date: 26/04/2012

WIRRAL COUNCIL

PLANNING COMMITTEE - 24 APRIL 2012

SUBJECT:	NATIONAL PLANNING POLICY FRAMEWORK
WARD/S AFFECTED:	ALL
REPORT OF:	KEVIN ADDERLEY, DIRECTOR OF RGENERATION, HOUSING & PLANNING
RESPONSIBLE PORTFOLIO HOLDER:	
KEY DECISION? <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report outlines the main headlines of the National Planning Policy Framework (NPPF) issued by the Communities and Local Government Department on March 27th Policy Framework. The NPPF comes into effect immediately and replaces the previous suite of existing national Planning Policy Statements, Planning Policy Guidance Notes and Minerals Planning Statements.

2.0 RECOMMENDATION

- 2.1 That the report be noted. This report was also reported to Cabinet for noting on 12 April 2012.

3.0 REASON FOR RECOMMENDATION

- 3.1 To brief the Planning Committee on the finalised National Planning Policy Framework

4.0 BACKGROUND AND KEY ISSUES

- 4.1 Following consultation in Summer 2011 (Cabinet 22nd September 2011 Minute 124 refers), the Coalition Government has now issued the finalised National Planning Policy Framework (NPPF) which came into effect on the day of publication (27th March 2012). A copy of the new NPPF can be viewed at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>
- 4.2 The NPPF replaces those Planning Policy Guidance Notes/Planning Policy Statements and Minerals Planning Guidance Notes and some circulars/advice letters to Chief Planning Officers listed in Annex 3 of the document. It should be emphasised that not all existing guidance has been replaced by the NPPF and the following planning policy guidance remains in force until such time as it is cancelled or replaced:-

- PPS10 Planning for Sustainable Waster Management (pending its replacement by the proposed National Waste Management Plan for England);

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- Minerals Planning Guidance Notes 4, 8, 9 and 14 plus national and regional guidance on aggregates provision.

There is a page on the DCLG web site which lists the retained guidance:

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/policieswasteminerals/>

- 4.3 Separate Technical Guidance has also been issued on flooding and minerals, which can be viewed at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115548.pdf>.

It has been subsequently clarified by the Planning Advisory Service that other existing 'practice guidance' which is not listed in Annex 3 of the NPPF (such as that issued with PPS4 on need, impact and the sequential approach), is still extant and can still be used where relevant, although in the case of any conflict, the NPPF takes precedence. DCLG has indicated that all this existing guidance will be reviewed, but there is no timetable for this as yet.

- 4.4 The NPPF sets out the new simplified national policy under the following headings:

Achieving sustainable development

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Protecting Green Belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

A list of the main changes from the draft NPPF, as identified by the Government in their Impact Assessment, are set out in Appendix 1.

- 4.5 The **presumption in favour of sustainable development** remains as a "golden thread" running through both plan-making and decision-taking (paragraph 14). Sustainable development is now set in the context of the guiding principles in the UK Sustainable Development Strategy and recognition that sustainable development includes economic, social and environmental dimensions (paragraph 7). There is however, still no concise definition of sustainable development in the document, although pursuing sustainable development is taken to seeking environmental and quality of life improvements, including making it easier to create jobs, achieve net gains for biodiversity, secure better design, improving living conditions and choice of homes (paragraph 9). For plan-making, this is taken to mean that Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:

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- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted

This will also apply to Neighbourhood Plans (paragraph 16).

- 4.6 These exceptions also apply in the case of **decision-taking** when the Development Plan is absent, silent or relevant policies are out of date. Development proposals which accord with the Development Plan should be approved without delay. However, relevant policies - such as those protecting the Green Belt, Sites of Special Scientific Interest, National Parks and other areas - cannot be overridden by the presumption in favour (paragraph 14). The reference in the consultation draft to the default answer to development proposals always being “Yes” has been removed.
- 4.7 Within the Core Planning Principles and Natural Environment sections, clarification is given on ‘encouraging’ the reuse of **previously developed land** (provided that it is not of high environmental value), although there is no reference to the previously expressed priority to develop brownfield land before green field sites. An objective of ‘recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it’ is included (paragraph 17) but this is not repeated within the section on policy and is therefore not one of the operational tests to determine if development is sustainable.
- 4.8 The NPPF retains the objective that the planning system should do all it can to support sustainable **economic growth** (paragraph 19) and plan proactively to meet the development needs of business and support and economy fit for the 21st Century (paragraph 20). However, it also indicates that planning policies should avoid the long-term protection of sites allocated for employment uses where there is no reasonable prospect of a site being used for that purpose (paragraph 22).
- 4.9 The “**town centres first**” approach is retained in the NPPF, along with the requirement to apply the sequential test for site selection in both plan-making and decision-taking and to assess the impact of out of centre proposals not in line with an up-to-date Local Plan. Offices and indoor bowling centres have been added to the list of main town centre uses subject to these controls, in Annex 1 to the NPPF. The main significant change is that impact assessments can only be required if the proposal is greater than 2,500 sqm floorspace unless there is a proportionately locally set threshold in the Local Plan (paragraph 26). The previous policy in PPS4 also allowed for assessments for out-of-centre applications below 2,500 sqm, even when there was no local threshold, where the scheme was likely to have a significant impact on other centres. In advance of the inclusion of a threshold within the Core Strategy there will therefore be little or scope to require impact assessments for retail and leisure applications outside existing centres. In Annex 2 of the NPPF a town centre is defined simply by its inclusion on a Local Plan Proposals Map, including primary and secondary shopping areas. The draft NPPF and previous guidance defined town, district and local centres by the nature of the activity they accommodated and then encouraged their definition on the Proposals Map. One potential interpretation of this change is that centre boundaries will have to be identified on a Proposals Map in order for the “town centre first” approach to

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apply and that any simpler notation such as a symbol on a Core Strategy Proposals Map may not be a sufficient basis for future decisions.

- 4.10 In line with previous advice, local planning authorities are encouraged to support a pattern of development that facilitates the use of **sustainable transport** modes “where reasonable to do so” (paragraph 30) but there is still no reference to integration with Local Transport Plans. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are “severe” (paragraph 32).
- 4.11 In relation to **housing**, the requirement to maintain a 5-year housing land supply is less onerous compared with the draft. There is now a requirement to maintain 5 years supply plus an additional 5% brought forward from later in the plan period to allow for choice and competition. The additional 20% requirement would only apply where there is a persistent record of under-delivery (paragraph 47). A “persistent record” has not however been defined and it not stated how or by whom this will be decided. The final NPPF now clarifies that Local planning authorities may make an allowance for windfall sites (excluding residential gardens) in their five year supply, if they have compelling evidence that such sites have consistently become available in the local area and continue to provide a reliable source of supply (paragraph 48). The previous test in PPS3 that schemes that met a shortfall in the 5 year supply should be ‘considered favourably’ has not been carried forward into the NPPF. Aside from their exclusion from windfall considerations, paragraph 53 advises that local planning authorities should consider the case for setting out policies to resist inappropriate development of **residential gardens**, for example where development would cause harm to the local area.
- 4.12 As in the draft, it will be for local planning authorities to set local policies on residential densities, affordable housing and brownfield targets. A housing implementation strategy will need to be prepared alongside the Local Plan, with housing trajectories for both market and affordable housing, to be prepared and updated annually. There is a continuing requirement for **viability assessment** to underpin planning policies with an emphasis on ensuring that delivery is maintained even in difficult economic circumstances. Under the **Duty to Cooperate** there may be a need to meet shortfalls in housing requirements from neighbouring authorities. Local authorities will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination, but there is no policy on how this should be implemented, for example, if agreement is not possible.
- 4.13 Local and neighbourhood plans should develop robust and comprehensive policies that set out the **quality of the development that will be expected** for the area, based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics (paragraph 58), although design policies should avoid unnecessary prescription and detail (paragraph 59).
- 4.14 The NPPF recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities (paragraph 69). Planning policies and decisions should guard against the loss of **valued facilities and services** and ensure that established shops facilities and services are

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able to develop and modernize in a way that is sustainable and retained for the benefit of the community (paragraph 70).

- 4.15 In relation to the **Green Belt**, local planning authorities should plan positively to enhance the beneficial use of the Green Belt (paragraph 81). Green belt boundaries should be established in the Local Plan and should only be altered in exceptional circumstances through the preparation or review of the Local Plan (paragraph 83). When considering planning applications, local planning authorities should ensure that “substantial weight” is given to any harm to the Green Belt (paragraph 88).
- 4.16 Local planning authorities should adopt proactive strategies to mitigate and adapt to **climate change**, taking full account of flood risk, coastal change and water supply and demand considerations (paragraph 94).
- 4.17 The NPPF indicates that the planning system should contribute to and enhance the **natural and rural environment** (paragraph 109). Policy on development affecting Sites of Special Scientific Interest, absent in the consultation draft, has now been included in the final version (paragraph 118). References to Local Nature Partnerships have been added throughout the document. In relation to **built heritage**, the provisions of PPS 5 appear to have been largely retained in the finalised NPPF.
- 4.18 Considerable interest has focused on the **transitional provisions**, which are set out in Annex 1 to the NPPF. In brief, they indicate that the policies in the NPPF will apply from the date of publication (paragraph 208); that existing Local Plan policies should not be considered “out-of-date simply because” they were adopted before the NPPF was published (paragraph 211); and that for twelve months from publication, decision makers “may” give weight to policies adopted since 2004, even if there is limited conflict with the NPPF (paragraph 214). In other cases and following the twelve month period, the weight to be given to any existing plan is dependent on their consistency with the NPPF (paragraph 215). Emerging plans can be given weight according to their consistency with the NPPF, the stage of preparation and the existence of any unresolved objections (paragraph 216).
- 4.19 The sections on plan-making and decision-taking are largely unchanged from the consultation draft.
- 4.20 Ultimately the impact of the NPPF will be established through appeal decisions, case law and Development Plan examinations. Use of words like ‘encourage’, for example, in the context of reusing brownfield land, provide scope for a range of interpretations, along with other potential ambiguities, such as the possible differences in meaning between “significant weight” “substantial weight” and “great weight” (all used within the guidance) and the definition of town centre discussed earlier.
- 4.21 In terms of the **immediate impact on Wirral**, future planning decisions will need to be based on Unitary Development Plan adopted in February 2000 (which has not been revoked by the NPPF), the Regional Spatial Strategy issued in September 2008 (until it is revoked by the Secretary of State) and the Interim Planning Policy for New Housing Development (until the Council formally resolves to remove it), alongside the additional requirements of the NPPF, as set out above. Existing policies in the UDP/RSS can be given weight according to their degree of consistency with the NPPF, under the terms of paragraph 215.

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4.22 The Core Strategy for Wirral, which will form part of the Council's Local Plan and which will now need to reflect the requirements of the NPPF, will be reported to Cabinet for approval for publication and submission to public examination in July 2012.

5.0 RELEVANT RISKS

5.1 None identified – this report is for information

6.0 OTHER OPTIONS CONSIDERED

6.1 None identified

7.0 CONSULTATION

7.1 The Department for Communities and Local Government undertook consultation on the draft National Planning Policy Framework in 2011 to which the Council responded.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no implications arising directly out of this report, although the finalised National Planning Policy Framework may have implications for voluntary, community and faith groups which are looking to pursue development proposals.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no implications for the Council's finances, IT, staffing and assets arising directly out this report.

10.0 LEGAL IMPLICATIONS

10.1 The National Planning Policy Framework has legal status as a formal statement of national planning policy, to which the Council must have regard when framing future planning policies and in taking decisions under the Town and Country Planning Acts. This will also apply to decisions taken by Planning Inspectors at appeal.

11.0 EQUALITIES IMPLICATIONS

11.1 The draft National Planning Policy Framework was been subject to a national level Statutory Equality Duties Impact Test.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 The promotion of carbon reduction is one of the key themes in National Planning Policy Framework.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 National Planning Policy Framework replaces the current suite of Planning Policy Statements (except PPS10 on waste management), most Minerals Policy Guidance/Statements (except MPGs 4, 8, 9 and 14 plus national and regional aggregates advice), older Planning Policy Guidance Notes and a number of Circulars and "Letters to Chief Planning Officers". The main planning implications are set out throughout the main body of this report.

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The National Planning Policy Framework refers to the need for crime prevention under the heading of “Requiring good design” (NPPF, page 15, paragraph 58) and “Promoting healthy communities” (NPPF, page 17, paragraph 69).

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REFERENCE MATERIAL

The National Planning Policy Framework and accompanying documents can be viewed at: <http://www.communities.gov.uk/publications/planningandbuilding/nppf>

Appendices

Appendix 1: Changes listed in National Planning Policy Framework Impact assessment

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	22nd September 2011

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Changes listed in National Planning Policy Framework Impact assessment

- Introduction of presumption in favour of sustainable development.
- Removal of small scale rural office development from 'town centre first' policy.
- For major town centre schemes where full impact will not be realised within 5 years, impacts should also be assessed for a period of up to 10 years.
- Removal of the maximum non-residential car parking standards for major developments
- Removal of national brownfield target for housing development.
- Require local planning authorities to allocate and update annually a 5 year supply of housing sites with at least 5% buffer (moved forward from later in plan period) and 20% buffer (moved forward from later in plan period) where a record of persistent under delivery.
- Removal of national minimum site size threshold for requiring affordable housing to be delivered.
- Increased flexibility for delivery of rural housing to reflect local needs.
- Increased protection for community facilities.
- Minor technical changes to the detail of Green Belt policy.
- Provide more flexibility regarding manner in which local planning authorities meet local requirements for decentralised energy supply.
- Encouragement for local planning authorities to map areas for commercial scale renewable and low carbon energy development opportunity, and then to apply these criteria to other applications.
- Requirement on local planning authorities to take strategic approach in Local Plans to creation, protection, enhancement and management of networks of biodiversity and green infrastructure.
- Recognition of designation within Local Plans of locally designated sites of importance for wildlife, geodiversity or landscape character.
- Clarification of which wildlife sites should have same protection as European sites.
- Removal of requirement to set criteria and select sites for peat extraction.

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**Planning Applications Decided Under
 Delegated Powers Between
 15/03/2012 and 15/04/2012**

Application No.: APP/10/01216 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 12/04/2012 **Decision:** Refuse
Case Officer: Miss A McDougall
Applicant: Mrs Crossley **Agent:** Hamilton Booker Associates
Location: Dibbins Cottage, WILLASTON ROAD, THORNTON HOUGH, CH63 4JE
Proposal: Removal of condition 3

Application No.: APP/11/00584 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 13/04/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Kirkham **Agent:** Coastal Engineering UK Ltd
Location: The Speakers Corner, 22 RIVERSIDE, WEST KIRBY, CH48 3JB
Proposal: Overlaying of lower masonry/concrete facing to existing coastal defence revetment with imported quarried rock armour.

Application No.: APP/11/00650 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 05/04/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** Higham & Co
Location: Halfords, BIDSTON MOSS, LEASOWE, CH44 2HE
Proposal: Elevational alterations to existing retail unit including recladding and new entrance features.

Application No.: APP/11/00704 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 05/04/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** Higham & Co
Location: Junction 1 Retail Park, Bidston Moss, Leasowe, CH44 2HE
Proposal: Reconfiguration and refurbishment of existing non-food retail unit including partial demolition, construction of extension and external alterations including recladding and new entrance features together with new car parking spaces.

Application No.: APP/11/00805 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 13/04/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Dr Javed **Agent:** Ludlam Associates
Location: The Willows, GAYTON FARM ROAD, GAYTON, CH60 8NN
Proposal: Retention of air source heat pumps.

Application No.: APP/11/01464 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 11/04/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Mr Winton **Agent:** Turley Associates
Location: Land to the front of 136-160 PLYMYARD AVENUE, EASTHAM, CH62 8HF
Proposal: Change of use to nine car parking spaces, including two disabled parking spaces and landscaping on land to the front of the shopping parade at 136-148 Plymyard Avenue (Amended discription and site layout).

Application No.: APP/11/01475 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and **Decision Level:** Delegated
Irby
Decision Date: 12/04/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:** arc design
Location: 51 HAZEL GROVE, IRBY, CH61 4UY
Proposal: Two storey side extension to contain additional bedroom space and living space to rear, and 1.8 metre high fence along side boundary (Amended Description)

Application No.: APP/11/01516 **Application Type:** Full Planning Permission
Ward: West Kirby and **Decision Level:** Delegated
Thurstaston
Decision Date: 20/03/2012 **Decision:** Refuse
Case Officer: Miss K Elliot
Applicant: Mr Beer **Agent:**
Location: 3 HYDRO AVENUE, WEST KIRBY, CH48 3HP
Proposal: Loft conversion with rear dormer and extension, front balcony, additional rear staircase into garden, replacement rear shed and converting front garden to off road parking

Application No.: APP/11/01530 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 04/04/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr C Xiang **Agent:** Geo-Neo Architects
Location: 47 OLD CHESTER ROAD, TRANMERE, CH41 9AW
Proposal: Two storey rear extension.

Application No.: ADV/12/00014 **Application Type:** Advertisement Consent
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 15/03/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Roberts Limbrick Ltd
Location: Unit 18, Marine Point, MARINE PROMENADE, NEW BRIGHTON
Proposal: Erection of three illuminated signs and one canopy sign

Application No.: APP/12/00018 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 15/03/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mrs Daisy Williams **Agent:** N Robinson Design Ltd
Location: 11 MERE LANE, HESWALL, CH60 6RR
Proposal: Proposed porch and carport

Application No.: APP/12/00025 **Application Type:** Full Planning Permission
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 15/03/2012 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: Mr Harrison **Agent:**
Location: 80 UPTON ROAD, CLAUGHTON, CH41 0DH
Proposal: Construction of a driveway to the front of the property and a domestic vehicular crossing (dropped kerb)

Application No.: APP/12/00035 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 29/03/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** Constructive Thinking Studio Ltd
Location: Fairfield, BRIMSTAGE ROAD, BRIMSTAGE, CH63 6HE
Proposal: Single storey extensions and re-roofing works including raising of the eaves and ridge of the existing main roof.

Application No.: APP/12/00037 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 30/03/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Hall **Agent:** Affinity Glass
Location: 42 SANDHAM GROVE, BARNSTON, CH60 1XR
Proposal: Proposed front porch

Application No.: APP/12/00043 **Application Type:** Full Planning Permission
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 26/03/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr Atherton **Agent:** Bryson McHugh Architects
Location: 6 WILLAN STREET, OXTON, CH43 5ST
Proposal: Remodelling of existing outbuilding to provide an office for personal use, new vehicular access and gates on to Village Road with associated hard and soft landscaping works including raised terrace area.

Application No.:	CON/12/00044	Application Type:	Conservation Area Consent
Ward:	Oxton	Decision Level:	Delegated
Decision Date:	26/03/2012	Decision:	Approve
Case Officer:	Miss K Elliot		
Applicant:	Mr G Atherton	Agent:	Bryson McHugh Architects
Location:	6 WILLAN STREET, OXTON, CH43 5ST		
Proposal:	Partial demolition of existing boundary wall and part of existing outbuilding		
Application No.:	APP/12/00054	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	26/03/2012	Decision:	Approve
Case Officer:	Mrs S Lacey		
Applicant:		Agent:	Williams Lester Architects
Location:	Homespray House, 8 RIVERSDALE ROAD, WEST KIRBY		
Proposal:	Change of Use from C3 First Floor House Managers Apartment to C2 First Floor Sheltered Flat for occupation by an elderly person.		
Application No.:	APP/12/00063	Application Type:	Full Planning Permission
Ward:	Cloughton	Decision Level:	Delegated
Decision Date:	12/04/2012	Decision:	Approve
Case Officer:	Miss S McIlroy		
Applicant:	Mr Keith Holt	Agent:	Mr David Crowder
Location:	6 CLAUGHTON PLACE, BIRKENHEAD, CH41 4DS		
Proposal:	Erection of a single storey rear extension		
Application No.:	APP/12/00067	Application Type:	Full Planning Permission
Ward:	Hoylake and Meols	Decision Level:	Delegated
Decision Date:	21/03/2012	Decision:	Approve
Case Officer:	Miss K Elliot		
Applicant:	Mrs Glynis Stewart	Agent:	
Location:	25a MARKET STREET, HOYLAKE, WIRRAL, CH47 2BG		
Proposal:	Installation of coin operated dog wash equipment to car park fronting shop		
Application No.:	ADV/12/00070	Application Type:	Advertisement Consent
Ward:	Rock Ferry	Decision Level:	Delegated
Decision Date:	04/04/2012	Decision:	Approve
Case Officer:	Ms C Berry		
Applicant:		Agent:	
Location:	Cammell Laird, CAMPBELTOWN ROAD, TRANMERE, CH41 9BP		
Proposal:	Site entrance sign		

Application No.: APP/12/00087 **Application Type:** Full Planning Permission
Ward: Oxtou **Decision Level:** Delegated
Decision Date: 13/04/2012 **Decision:** Approve
Case Officer: Miss S Mcllroy
Applicant: Mr Piercy **Agent:** Bryson McHugh Architects
Location: 17 HOLMSIDE LANE, OXTON, CH43 2NL
Proposal: Erection of two storey side extension (single storey rear extension to be erected under permitted development)

Application No.: APP/12/00088 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 15/03/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Warburton Associates
Location: Hoylake Cottage Hospital, BIRKENHEAD ROAD, HOYLAK, CH47 5AQ
Proposal: The erection of a gazebo within the garden of the nursing home

Application No.: APP/12/00089 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 22/03/2012 **Decision:** Approve
Case Officer: Mr M Rushton
Applicant: **Agent:** Paddock Johnson Partnership
Location: Vittoria Court, BECKWITH STREET, BIRKENHEAD
Proposal: Proposed two storey side extension, entrance & internal alterations to update existing residential accommodations to current decency standards and to provide additional office accommodation for disaster & recovery suite and training facilities.

Application No.: APP/12/00095 **Application Type:** Full Planning Permission
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 26/03/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: D Paton **Agent:** SNOW architects Ltd
Location: 7 HEATHER DENE, BROMBOROUGH, CH62 2BG
Proposal: Proposed side and rear extension

Application No.: DEM/12/00097 **Application Type:** Prior Notification of Demolition
Ward: Seacombe **Decision Level:** Delegated
Decision Date: 22/03/2012 **Decision:** Prior approval is not required
Case Officer: Miss K Elliot
Applicant: **Agent:** Fisher German Denton Clarke
Location: St Lukes Old Vicarage, 178 MILL LANE, POULTON, CH44 3BP
Proposal: Demolition of a three bedroom detached property- adjoining garage constructed of brick under tile roof

Application No.: APP/12/00098 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 10/04/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: **Agent:** Wirral Council
Location: Raeburn Primary School, MORLAND AVENUE, BROMBOROUGH, CH62 6BD
Proposal: Proposed internal courtyard at the school to transform the space into an extension to the existing inadequate staffroom.

Application No.: APP/12/00099 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 20/03/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Mr & Mrs Clarke **Agent:** The Kenefick Jones Partnership Ltd
Location: 8 ESCOLME DRIVE, GREASBY, CH49 1SE
Proposal: First floor side extension

Application No.: ADV/12/00100 **Application Type:** Advertisement Consent
Ward: Upton **Decision Level:** Delegated
Decision Date: 27/03/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Maraq Ltd
Location: Common Field Road Surgery, 156 COMMONFIELD ROAD, WOODCHURCH, CH49 7LP
Proposal: Proposed fascia advertisements to pharmacy unit

Application No.: APP/12/00106 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 26/03/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr Ben Keegan **Agent:** Bryson McHugh Architects
Location: 85 HEATHBANK AVENUE, IRBY, CH61 4YG
Proposal: Single storey rear and side extensions.

Application No.: APP/12/00108 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 27/03/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr & Mrs Brown **Agent:** Bromilow Architects Ltd
Location: Cheriton, 151 CALDY ROAD, CALDY, CH48 1LP
Proposal: Proposed rear extension with dormer feature and balcony, conversion of garage and detached double garage

Application No.: APP/12/00111 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 05/04/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Locke **Agent:** CSPlanningEnforcementSolutions
Location: 17 LINGDALE ROAD, WEST KIRBY, CH48 5DG
Proposal: Construction of first-floor Juliette balcony and doors to side elevation and alterations to windows in front elevation (amended description)

Application No.: APP/12/00113 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 15/03/2012 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: Mrs S Husain **Agent:** O'RourkeSmith
Location: 12 GLEGGSIDE, NEWTON, CH48 6DZ
Proposal: Erection of a single storey side and rear extension

Application No.: APP/12/00115 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 29/03/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Colin Pleavin **Agent:**
Location: 17 FLEETCROFT ROAD, WOODCHURCH, CH49 5LY
Proposal: Proposed two-storey extension to the side and porch to the front of the existing house and new pitched roof to the existing garage

Application No.: APP/12/00117 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 10/04/2012 **Decision:** Approve
Case Officer: Ms C Berry
Applicant: **Agent:**
Location: Crooked Billet, 89-91 OLD CHESTER ROAD, TRANMERE, CH41 9AT
Proposal: Extension of time, Demolition of existing public house, erection of a terrace of 5no. two storey bedroom houses

Application No.: ADV/12/00120 **Application Type:** Advertisement Consent
Ward: Bebington **Decision Level:** Delegated
Decision Date: 10/04/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Mr James Roberts **Agent:** Acketts Group Ltd
Location: The Local, 98 TEEHEY LANE, HIGHER BEBINGTON, CH63 8QT
Proposal: Display of fascia sign to proposed ATM machine.

Application No.: APP/12/00121 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 10/04/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Mr James Roberts **Agent:** Acketts Group Ltd
Location: The Local, 98 TEEHEY LANE, HIGHER BEBINGTON, CH63 8QT
Proposal: Installation of a cash machine (ATM) - RETROSPECTIVE (Amended description)

Application No.: APP/12/00122 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 12/04/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Lavin **Agent:** The Kenefick Jones Partnership
Location: M J Lavin Plant and Machinery, NEW HALL LANE, HOYLAKE, CH47 4BP
Proposal: Erection of five industrial units (extension of time on OUT/08/06919)

Application No.: APP/12/00126 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 29/03/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr Craig Harvey **Agent:**
Location: 14 BROADSTONE DRIVE, SPITAL, CH63 9HZ
Proposal: Single storey extension to rear of house in place of existing conservatory, insert bay window where garage door exists and convert garage into living space.

Application No.: APP/12/00127 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 28/03/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** Architectonic
Location: Flat 1, 3-5 BRATTAN ROAD, BIRKENHEAD, CH41 2US
Proposal: To refurb ground floor (2no apartments) into further space for existing (winstones place) day nursery, with access to this via existing access from Woodchurch Road, no access from Brattan Road, existing external yard to be used as outdoor play area. No external alterations for approx 30 children.

Application No.: APP/12/00136 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 30/03/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: **Agent:** RCP Architects
Location: Caldy Golf Club, LINKS HEY ROAD, CALDY
Proposal: Re-organising and landscaping of existing terrace, extending existing canopy, improvement to players' entrance.

Application No.: APP/12/00137 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 29/03/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: **Agent:** Paddock Johnson Partnership
Location: Old Home Farm BRIMSTAGE ROAD, BRIMSTAGE, CH63 6HD
Proposal: Further change of use to class D2 purpose group (leisure/assembly) Previous planning permission for office use has now lapsed (APP/2005/6705) Permission granted 16/09/05

Application No.: APP/12/00140 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Refuse
Case Officer: Miss K Elliot
Applicant: Mr Kilic **Agent:** Archipek
Location: Sab's Kebab House, 201 HOYLAKE ROAD, MORETON, CH46 0SJ
Proposal: Variation of condition 2 of APP/09/06384 to allow premises to be open Monday to Thursday from 11:30 to Midnight (00:00), Friday and Saturday from 11:30 to 1am, Sunday and Bank Holidays 14:00 to 23:00

Application No.: APP/12/00141 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 29/03/2012 **Decision:** Approve
Case Officer: Ms C Berry
Applicant: **Agent:** Benson Signs
Location: 254 TELEGRAPH ROAD, HESWALL, CH60 7SG
Proposal: 1 x Fascia sign 1 x Projecting sign

Application No.: APP/12/00144 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 02/04/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr S Harvey **Agent:** Andy Foster Architects
Location: Wayside, 4 DALE ROAD, EASTHAM, CH62 6BS
Proposal: Erection of a single-storey rear extension, conversion of garage and internal alterations

Application No.: APP/12/00146 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 10/04/2012 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: **Agent:** Wirral Council
Location: Bedford Drive Primary School, BEDFORD DRIVE, ROCK FERRY, CH42 6RT
Proposal: New pedestrian entrance gate to Bedford Drive to allow safe access separate from the existing vehicular access, hardstanding to form path and bicycle stands.

Application No.:	APP/12/00149	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	04/04/2012	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:		Agent:	Shack Architecture Ltd
Location:	Land to the rear of 2-16, ST GEORGES AVENUE, TRANMERE, CH42 6PZ		
Proposal:	Construction of 3 no. two bedroom singles storey residential units on existing cleared site		
Application No.:	LBC/12/00150	Application Type:	Listed Building Consent
Ward:	Seacombe	Decision Level:	Delegated
Decision Date:	12/04/2012	Decision:	Approve
Case Officer:	Mr M Crook		
Applicant:	Mr Kelly	Agent:	
Location:	Old House, LIMEKILN LANE, POULTON, CH44 5SP		
Proposal:	Alterations to stair, windows, ground floor walls/doorways, construction of lean-to greenhouse		
Application No.:	APP/12/00151	Application Type:	Full Planning Permission
Ward:	Wallasey	Decision Level:	Delegated
Decision Date:	30/03/2012	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Mr Michael Waite	Agent:	Phinlay Ltd
Location:	14 BAYSWATER GARDENS, NEW BRIGHTON, CH45 8LB		
Proposal:	Rear single storey lean-to extension including demolition of existing conservatory, side extension at first floor level including front dormer, extension of existing roof slopes, internal alterations and associated works		
Application No.:	APP/12/00152	Application Type:	Full Planning Permission
Ward:	Upton	Decision Level:	Delegated
Decision Date:	27/03/2012	Decision:	Approve
Case Officer:	Miss K Elliot		
Applicant:		Agent:	
Location:	175 FORD ROAD, UPTON, CH49 0HT		
Proposal:	Change of use to education centre for young people targeting health, employment, training and education		
Application No.:	APP/12/00153	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	02/04/2012	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:		Agent:	
Location:	B P Garage, BROMBOROUGH ROAD, BEBINGTON, CH63 7RD		
Proposal:	Extension of time, demolition of existing filling station 6 workshop and erection of a 3 storey residential care facility for people between the ages of 16-65 containing 35 units.		

Application No.: APP/12/00156 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 30/03/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Mr Smedley **Agent:** 4 Seasons Ltd
Location: 119A FRANKBY ROAD, NEWTON, CH48 9UT
Proposal: Double glazed white UPVC dwarf wall conservatory

Application No.: APP/12/00158 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:** Bernard Taylor Partnership Ltd
Location: Land situated between Water Street & Darlington Street, Church Street, Wallasey, Wirral
Proposal: New build residential development consisting of 8 No. 2-bed houses & 1 No. 4-bed house (9 dwellings in total)

Application No.: APP/12/00159 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 05/04/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: Mr Aminur Khan **Agent:**
Location: Elegance By Harleys, 217 CHURCH ROAD, TRANMERE, CH42 0LD
Proposal: Change to cafe selling hot food on premises (Use Class A3)

Application No.: APP/12/00163 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: **Agent:** Wcec Architects
Location: Asda Superstore, SEAVIEW ROAD, LISCARD, CH45 4PF
Proposal: Converting 4 no. existing car parking spaces into 4 no. electric car parking spaces

Application No.: APP/12/00166 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: Mr A Clarke **Agent:** Bryson McHugh Architects
Location: 8 FERGUSON AVENUE, GREASBY, CH49 1RP
Proposal: Erection of a two-storey side extension, pitched roof over existing two-storey rear extension and installation of solar panels

Application No.: APP/12/00169 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: Mr Chris Hirst **Agent:** Irvin Consultants
Location: 3 JELLICOE CLOSE, CALDY, CH48 2LF
Proposal: Erection of a single storey rear extension

Application No.: APP/12/00171 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 11/04/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Arup
Location: Village Motor Company, 10 CROSS LANE, WALLASEY VILLAGE, CH45 8RH
Proposal: Erection of five, static, 15m hinged Evoco wind turbines (with 4m blades) on a vehicle park.
Resubmission of approved planning application reference APP/10/01498.

Application No.: APP/12/00172 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 27/03/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mrs Gillian Harvey **Agent:**
Location: 7 GLENTREE CLOSE, GREASBY, CH49 2RF
Proposal: Conversion of garage to a bedroom with ensuite shower room (retrospective)

Application No.: APP/12/00174 **Application Type:** Full Planning Permission
Ward: Birkenhead and Tranmere **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:** Bernard Taylor Partnership Ltd
Location: Whitfield Court, WHITFIELD STREET, TRANMERE
Proposal: New build residential development consisting of 8 No. 2-bed bungalows with communal parking court

Application No.: APP/12/00176 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 12/04/2012 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Wright **Agent:** S Yates Design Services
Location: 16 TYBURN ROAD, SPITAL, CH63 9HJ
Proposal: Conversion of existing single garage into new study and alterations to the entrance area including new pitched roof.

Application No.: APP/12/00179 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 05/04/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr R Chesters **Agent:** Peter Goddard
Location: 34 CROOME DRIVE, NEWTON, CH48 8AH
Proposal: Single storey front extension, rear extension and replacement balustrade

Application No.: APP/12/00180 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 13/04/2012 **Decision:** Approve
Case Officer: Miss S Mcllroy
Applicant: Mr John Porter **Agent:** Mr Cliff Elliott
Location: 20A BERESFORD ROAD, LISCARD, CH45 0JJ
Proposal: Removing a rear dormer window and the lower section of the roof to form balcony (Resubmission of approval APP/11/01291)

Application No.: LBC/12/00189 **Application Type:** Listed Building Consent
Ward: Oxtou **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Approve
Case Officer: Mrs J Malpas
Applicant: Dr Sam Sandon **Agent:** The Old Vicarage
Location: 16 VILLAGE ROAD, OXTON, CH43 5SR
Proposal: Single storey rear extension

Application No.: APP/12/00195 **Application Type:** Full Planning Permission
Ward: Seacombe **Decision Level:** Delegated
Decision Date: 10/04/2012 **Decision:** Approve
Case Officer: Miss K Elliot
Applicant: Mr Rana Singh **Agent:** Bryson McHugh Architects
Location: 49 LIMEKILN LANE, POULTON, CH44 5SR
Proposal: Change of use to post office and new shop front

Application No.: APP/12/00196 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 11/04/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** Design & Draw
Location: 165 FORD ROAD, UPTON, CH49 0TH
Proposal: Change of use from shop to restaurant (Use Class A3) to extend customer seating area of existing restaurant business located in adjoining ground floor premises 167/169 Ford Road, Upton.

Application No.: APP/12/00202 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 13/04/2012 **Decision:** Approve
Case Officer: Miss J Wood
Applicant: Mr & Mrs Jones **Agent:** Mr S N Amery
Location: 19 ST DAVID ROAD, EASTHAM, CH62 0BU
Proposal: Single storey rear & side extension

Application No.: APP/12/00203 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 12/04/2012 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr J & Mrs J Murphy **Agent:**
Location: Silver Hill, GAYTON LANE, GAYTON, CH60 3SJ
Proposal: Proposed one & half storey extension with link to main house. Ground floor double garage and guest bedroom with facilities. Roof space for single bedroom and separate bathroom

Application No.: APP/12/00205 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 12/04/2012 **Decision:** Approve
Case Officer: Mrs S Lacey
Applicant: **Agent:** J10 Planning Ltd
Location: Vacant Shop, 169 WALLASEY ROAD, LISCARD, CH44 2AD
Proposal: Proposed change of use from D1 Medical Practice to A1/A2 retail/office and new shopfront with either ancillary accommodation above or a self-contained 3 bed residential flat above.

Application No.: APP/12/00209 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 12/04/2012 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: **Agent:** The Clarke Darby Partnership
Location: Weatherhead High School, BRECK ROAD, POULTON, CH44 3BQ
Proposal: New timber gazebo for external learning facility

Application No.: APP/12/00211 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Approve
Case Officer: Miss S McIlroy
Applicant: **Agent:** Freeth Cartright LLP
Location: Moss Chemist, 29 LISCARD WAY, LISCARD, CH44 5TL
Proposal: Change of use from use class A1 (retail) to A2 (Financial and professional services)

Application No.:	ADV/12/00224	Application Type:	Advertisement Consent
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	05/04/2012	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:		Agent:	Blaze Maintenance Limited
Location:	Windsors Garage, 8 MILNER ROAD, HESWALL, CH60 5RZ		
Proposal:	Replacement of old signage with new corporate image signage		
Application No.:	ANT/12/00225	Application Type:	Prior Approval of Telecommunications PD
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	26/03/2012	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:		Agent:	Mono Consultants
Location:	Pavement fronting The Royal Oak, HIGH STREET, BROMBOROUGH, CH62 7EZ		
Proposal:	1 No. BT DSLAM cabinet		
Application No.:	APP/12/00246	Application Type:	Full Planning Permission
Ward:	Oxton	Decision Level:	Delegated
Decision Date:	12/04/2012	Decision:	Approve
Case Officer:	Miss K Elliot		
Applicant:	Mr & Mrs Thomas	Agent:	The Kenefick Jones Partnership Ltd
Location:	89 HOLMLANDS DRIVE, OXTON, CH43 0TU		
Proposal:	First floor side extension & garage conversion		
Application No.:	APP/12/00274	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	12/04/2012	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr Smethurst	Agent:	The Building Design Team Ltd
Location:	32 SEABANK ROAD, HESWALL, CH60 4SW		
Proposal:	Single storey rear extension with raised decking		
Application No.:	APP/12/00322	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	23/03/2012	Decision:	Permitted development
Case Officer:	Miss A McDougall		
Applicant:	Mrs Stacey Whittaker	Agent:	arc design
Location:	8 FEILDEN ROAD, BEBINGTON, CH63 3DP		
Proposal:	Demolition of existing poor condition timber garage and erection of new garage attached to the dwelling		

Application No.: APP/12/00429 **Application Type:** Full Planning Permission
Ward: Rock Ferry **Decision Level:** Delegated
Decision Date: 03/04/2012 **Decision:** Permitted development
Case Officer: Miss A McDougall
Applicant: Mrs Christine Podmore **Agent:**
Location: 26 RIVIERA DRIVE, ROCK FERRY, CH42 6RX
Proposal: Ground floor side extension

Total Number of Applications Decided: 85

Summary of data

	Total Per
Approve	78
Permitted development	2
Prior approval is not required	1
Refuse	4
Report Total	85