



Planning Committee

Date:	Thursday, 17 December 2015
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Vicky Rainsford
Tel: 0151 691 8271
e-mail: victoriarainsford@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

1. MINUTES (Pages 1 - 22)

To approve the accuracy of the minutes of the meeting held on 26 November, 2015.

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/15/00515 : LAND TO THE NORTH OF COPPER BEECH, 99 ELEANOR ROAD, BIDSTON, CH43 7QW : ERECTION OF 2 NO. FOUR-BEDROOM HOUSES AND 2 NO. FIVE-BEDROOM HOUSES (Pages 23 - 30)

5. APP/15/01087 : BEBINGTON SERVICE STATION, 152 KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ : DEMOLITION OF THE EXISTING SERVICE STATION, AND REDEVELOPMENT TO PROVIDE A NEW PETROL FILLING STATION FACILITY, COMPRISING OF CANOPY/FORECOURT, SALES BUILDING WITH ATM, UNDERGROUND STORAGE TANKS, ASSOCIATED PARKING, LANDSCAPING AND OTHER ANCILLARY WORKS. (Pages 31 - 40)

6. **APP/15/01143 : 78 DAWSTONE ROAD, GAYTON, CH60 8ND : DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO DETACHED DWELLINGS. AMENDMENT TO PREVIOUSLY WITHDRAWN APPLICATION REF APP/15/00061. (Pages 41 - 46)**
7. **APP/15/01166 : DALESIDE NURSING HOME, 136-138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB : FIRST FLOOR EXTENSION TO PROVIDE THREE BEDROOMS (AMENDED PROPOSAL). (Pages 47 - 52)**
8. **APP/15/01174 : AMENITY OPEN SPACE, ST NICHOLAS ROAD, WALLASEY VILLAGE : CHANGE OF USE TO RESIDENTIAL GARDEN. (Pages 53 - 58)**
9. **APP/15/01242 : 32 BERYL ROAD, NOCTORUM, CH43 9RT : RETROSPECTIVE CONSENT FOR A FRONT BOUNDARY WALL WITH PROPOSED EXTERNAL VISUAL CHANGES. (Pages 59 - 62)**
10. **APP/15/01261 : LAND OFF ARROWE PARK ROAD, UPTON, CH49 0UE : RESIDENTIAL-LED MIXED USE DEVELOPMENT COMPRISING THE DEMOLITION OF THE EXISTING RFCA BUILDINGS AND ERECTION OF A NEW PURPOSE BUILT RFCA FACILITY (USE CLASS D1) TOGETHER WITH A RESIDENTIAL DEVELOPMENT (USE CLASS C3) WITH ASSOCIATED LANDSCAPING, OPEN SPACE PROVISION TOGETHER WITH PEDESTRIAN LINKAGES AND ASSOCIATED CAR PARKING; ACCESS ARRANGEMENTS OFF ARROWE PARK ROAD AND THE CONSTRUCTION OF A NEW UNCONTROLLED PEDESTRIAN CROSSING ON ARROWE PARK ROAD. (Pages 63 - 78)**
11. **APP/15/01267 : 336 HOYLAKE ROAD, MORETON, CH46 6DF : ERECTION OF A SINGLE STOREY EXTENSION TO THE EXISTING GARAGE AND CHANGE OF USE TO A PHYSIOTHERAPY TREATMENT ROOM AND HOME OFFICE FACILITY. (Pages 79 - 84)**
12. **APP/15/01270 : LAND AT BEAUFORT ROAD ADJOINING TO CORPORATION ROAD, BIRKENHEAD, WIRRAL : ERECTION OF AN INDUSTRIAL UNIT CONSISTING OF TWO SMALL WORKSHOPS ON THE GROUND FLOOR WITH RESIDENTIAL ACCOMMODATION ABOVE. (Pages 85 - 90)**
13. **OUT/15/01287 : FARM COTTAGE, 33 DOWNHAM ROAD NORTH, HESWALL, CH61 6UN : OUTLINE CONSENT FOR THE ERECTION OF 2 NO. DWELLINGS WITH SOME MATTERS RESERVED (AMENDED DESCRIPTION). (Pages 91 - 98)**
14. **APP/15/01288 : 10 WHEATLAND ROAD, BARNSTON, CH60 1XY : REDEVELOPMENT OF HOUSE TO INCLUDE GROUND AND FIRST FLOOR EXTENSIONS, DORMER WINDOWS AND A BALCONY. (Pages 99 - 102)**

15. **APP/15/01317 : ELECTRONIC SURGERY, 12A THE VILLAGE, BEBINGTON, CH63 7PW : CONSTRUCTION OF A FIRST FLOOR REAR EXTENSION ABOVE EXISTING GROUND FLOOR SHOPS TO CREATE TWO RESIDENTIAL UNITS. (Pages 103 - 106)**
16. **APP/15/01318 : SHELL PETROL STATION, 157 HOYLAKE ROAD, MORETON, CH46 9PZ : APPLICATION TO VARY CONDITION 2 ATTACHED TO PLANNING APPROVAL APP/92/05293 TO ALLOW 24 HOUR OPENING. (Pages 107 - 112)**
17. **APP/15/01349 : 26 CAULFIELD DRIVE, GREASBY, CH49 1SN : DOUBLE STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION. (Pages 113 - 116)**
18. **APP/15/01375 : CUCKOOS FLIGHT, 45 CROFT DRIVE EAST, CALDY, CH48 1LX : REMODELLING OF EXISTING DWELLING INCLUDING, EXTENSION, WITH FRONT DORMERS AND REMODELLED ENTRANCE, LOFT CONVERSION AND INTERNAL ALTERATIONS. (Pages 117 - 122)**
19. **APP/15/01467 : 12 ENNERDALE ROAD, NEW BRIGHTON, CH45 0LY : LOFT CONVERSION FOR AN ADDITIONAL SELF-CONTAINED FLAT WITH ASSOCIATED OFF STREET PARKING. (Pages 123 - 126)**
20. **COMX/15/01470 : THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG : NOTIFICATION FOR PRIOR APPROVAL FOR A CHANGE OF USE FROM STORAGE OR DISTRIBUTION BUILDINGS (CLASS B8) AND ANY LAND WITHIN ITS CURTILAGE TO 6 FLATS (CLASS C3). (Pages 127 - 130)**
21. **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 13/11/2015 AND 06/12/2015. (Pages 131 - 148)**
22. **EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC**

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

23. **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

This page is intentionally left blank

PLANNING COMMITTEE

Thursday, 26 November 2015

<u>Present:</u>	Councillor	A Leech (Chair)	
	Councillors	S Foulkes J Walsh I Williams D Elderton	E Boulton K Hodson D Mitchell P Cleary
<u>Deputies:</u>	Councillors	T Johnson D Roberts B Berry (for P Hayes)	
<u>Apologies:</u>	Councillor	D Realey	

1 MINUTES

The Strategic Director for Transformation and Resources submitted the minutes of the meeting held on 21 October 2015.

Resolved – That the minutes be approved

2 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor Steve Foulkes declared a prejudicial interest in respect of item 16 by virtue of him being a board member of Magenta Living.

3 REQUESTS FOR SITE VISITS

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

The following requests were unanimously approved:

APP/15/01087: BEBINGTON SERVICE STATION, 152 KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ – DEMOLITION OF THE EXISTING SERVICE STATION, AND REDEVELOPMENT TO PROVIDE A NEW PETROL FILLING STATION FACILITY, COMPRISING OF CANOPY/FORE COURT, SALES BUILDING WITH ATM, UNDERGROUND STORAGE TANKS, ASSOCIATED PARKING, LANDSCAPING AND OTHER ANCILLARY WORKS.

APP/15/ 01166: DALESIDE NURSING HOME, 136 – 138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB – FIRST FLOOR EXTENSION TO PROVIDE THREE BEDROOMS (AMENDED PROPOSAL)

APP/ 15/01174: AMENITY OPEN SPACE, ST NICHOLAS ROAD, WALLASEY VILLAGE – CHANGE OF USE TO RESIDENTIAL GARDEN

- 4 **APP/15/00398: 11 SEABANK ROAD, EGREMONT, CH44 0EE - CHANGE OF USE TO HOUSE IN MULTIPLE OCCUPANCY - 6 BEDROOM PROPERTY INCREASING TO 7 BEDROOMS WITH INTERNAL ALTERATIONS**

The Assistant Chief Executive submitted the above application for consideration.

It was moved by Councillor K Hodson and seconded by Councillor Elderton and

Resolved (12:0) 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. No development shall take place until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.**
- 3. Prior to first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.**
- 4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19 March 2015 and listed as follows: Drawing Number 41_2015_02 (dated 03.03.2015)**

- 5 **OUT/15/00977: GRAZING LAND, LEASOWE ROAD, WALLASEY VILLAGE - OUTLINE APPLICATION FOR 10 DWELLINGS**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee

It was moved by Councillor Mitchell and seconded by Councillor Johnson and

Resolved (7:5) That the application be approved subject to the following conditions and a Section 106 agreement:

- 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.**

- 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**

- 3. 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.**

- 4. No development shall take place until full details and samples of materials for all external work has been submitted to and approved in writing by the Local Planning Authority.**

- 5. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.**

- 6. No development shall take place before details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.**

The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 20th July 2015 and listed as follows: L(80)001

7. No development shall take place (including any demolition, earthworks or vegetation clearance) until a scheme of landscaping, phased in relation to any phasing of the development, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for but not restricted to the following details:

- a. existing trees and shrubs not directly affected by the buildings and works.
- b. walls and fences
- c. proposed walls and fencing, indicating materials and heights.
- d. screen planting on boundary
- e. existing contours and any alteration, such as earth mounding,
- f. details of the proposed arrangements for maintenance of the landscaping

The scheme as approved shall be carried out prior to the first occupation of any of the dwellings hereby approved. Any trees, shrubs or plants that die within a period of 5 years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written approval for any variation.

8. Prior to first occupation or use of the development, arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

9. No development shall take place until a scheme for the provision and implementation for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. As a minimum, such a scheme shall include:

- a. Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 years +30% allowance for climate change);
- b. Discharge rates and volumes (both pre and post development);

- c. Temporary storage facilities;
- d. Means of access for maintenance and easements where applicable;
- e. Methods employed to delay and control surface water discharged from the site;
- f. Measures taken to prevent flooding and pollution of the receiving ground water and/or surface waters, including watercourses
- g. Flood water exceedance routes, both on and off site;
- h. A timetable for implementation, including phasing where applicable;
- i. Site investigation and test results to confirm infiltration rates.

The drainage scheme should demonstrate that the peak run off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 years rainfall event should never exceed the peak greenfield run off rate for the same event.

The development shall not be brought into use or the dwellings first occupied until the scheme as approved has been fully implemented in accordance with the timing/phasing arrangements embodied within the scheme and shall be subsequently maintained as such thereafter.

10. No development shall take place until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. As a minimum, such a scheme shall include:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company;
- b. Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. On-going inspections relating to performance and asset condition assessments; and
 - ii. Operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- c. Means of access for maintenance and easements where applicable

The development shall not be brought into use or the dwellings first occupied until the scheme as approved has been fully implemented and shall be subsequently managed and maintained as such thereafter.

11. No development shall take place until full details of the access road has

been submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be restricted to any footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls,, surface water outfall, embankments, visibility splays, carriageway gradients, drive gradients, street furniture and traffic calming measures, and shall include the timetable for the provision of such works. The development shall not be first occupied until the details as agreed have all been constructed and laid out in accordance with the approved details.

12. No development shall take place until a noise survey has been submitted to the Local Planning Authority in relation to the impact of traffic noise on the dwellings in this proposed development has been approved by the Local Planning Authority. The approved scheme shall be implemented in full.

13. No development shall take place until a detailed Construction Environment Management Plan for the construction phase of the development and a Construction Code of Practice shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environment Management Plan shall provide details of measures proposed for the storage of all plant, machinery and materials to be used in connection with the remodelling and construction of the development and for controlling any escape of noise and/or fumes during the works. The development shall be carried out in accordance with the Construction Environment Management Plan. The scheme shall in particular include:-

- 1) locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development;
- 2) details of all bunds, fences and other physical protective measures to be placed on the Site in connection with such storage including the time periods for placing and retaining such bunds, fences and measures (as the case may be);
- 3) provision for the on-going maintenance of any such bunds, fences and other measures;
- 4) the control and removal of spoil and wastes;
- 5) measures to prevent the pollution of surface and ground water arising from the storage of plant and materials.

The code of practice shall indicate:

- a. the proposed hours of operation of remodelling and construction activities;
- b. the frequency, duration and means of operation involving demolitions,

excavations, drilling, piling, and any concrete production;
c. sound attenuation measures incorporated to reduce noise at source;
d. details of measures to be taken to reduce the generation of dust;
e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development. The development shall only be implemented in accordance with the Construction Environment Management Plan, provided that this may be amended in accordance with details expressly submitted to and approved in writing by the Local Planning Authority for such purpose

6 **APP/15/00979: LAND NORTH WEST TO 1 THE KNAP, GAYTON, CH60 0EX - PROPOSED NEW 2 BED DORMER PROPERTY ON LAND AT 1 THE KNAP**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee

It was moved by Councillor Elderton and seconded by Councillor Boulton that the application be refused on the following grounds:

'The proposed dwelling in this location would create a cramped form of development which will result in a detrimental change in the character of the area and is therefore contrary to the provisions of the National Planning Policy Framework and Unitary Development Plan Policy HS4 – Criteria for New Housing Development.'

The motion was put and lost (5:7)

It was then moved by Councillor Johnson and seconded by Councillor Walsh and

Resolved (7:5) 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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on 7 September 2015 and listed as follows: PL11A, PL14A & PL12A.**
- 3. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in**

the construction of the development.

4. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

(Note: The gradients of any new road or turning area should not exceed 1:25 and those of parking or loading bays should not exceed 1:40).

5. The remainder of the undeveloped land 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.

6. 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 occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

7. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

8. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the property unless expressly authorised.

11. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

- 7 **APP/15/00983: CHESTNUT HOUSE, KINGS DRIVE, CALDY, CH48 2JF - RE-DESIGN OF EXISTING DWELLING WITH PROPOSED EXTENSIONS TO INCLUDE A NEW SWIMMING POOL, GYMNASIUM, HABITABLE SPACES. PROPOSED EXTERNAL WORKS AND RE-MODEL OF THE ELEVATIONS AND NEW EXTERNAL DETACHED DOUBLE GARAGE AND LANDSCAPING WORKS.**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee

It was moved by Councillor Elderton and seconded by Councillor Boulton that the application be refused on the following grounds:

‘ The proposed development, by reason of its size and scale, represents overdevelopment of the site and is likely to affect the privacy of neighbours, contrary to policies HS11, CH2 and CH11 of the Wirral Unitary Development Plan; the Caldby Conservation Area Appraisal & Management Plan and the National Planning Policy Framework.’

The motion was put and lost (3:9)

It was then moved by Councillor Foulkes and seconded by Councillor T Johnson and

Resolved (9:3) 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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on 31st July 2015**

and listed as follows: 13-125-134 A (Dated 10.15), 13-125-131 E (Dated 06.15), 13-125-132 E (Dated 06.15), 13-125-133 D (Dated 06.15), 13-125-160 F (Dated 06.15), 13-125-161 E (Dated 06.15), 13-125-110 B (Dated 06.15),

3. In order to protect habitats of special local importance for nature conservation:

- i. Construction work shall only take place between 8am and 6pm.
- ii. Any holes or trenches left open overnight must have a means of escape provided.
- iii. All construction materials, especially those containing lime, must be stored so that badgers cannot access them, and to the front of the house, not the rear.
- iv. When fencing to the garden is installed, access shall be left for the badgers to move around between gardens.
- v. No fires to be lit in the vicinity of the sett
- vi. No heavy plat machinery to be driven or used in the vicinity of the sett
- vii. Any obvious badger paths to be left clear of obstruction
- viii. The boundary fences allow for the free movement of badgers

4. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Planning Authority.

5. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

- A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.
- B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
- C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998,

2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.**
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).**
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).**
- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).**
- H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.**
- I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)**
- J. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).**
- K. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)**
- L. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.**
- M. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.**
- N. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).**

- O. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- P. the timing of the various phases of the works or development in the context of the tree protection measures.

6. The following activities must not be carried out under any circumstances:

- a. No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
- b. No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
- c. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- d. No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
- e. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.

7. No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the LPA. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with that specification and in accordance with BS 3936 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS4043, 1989, Transplanting root-balled trees; and BS4428, 1989, Code of practice for general landscape operations (excluding hard surfaces).

8. Before any construction commences, samples of the facing/roofing/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.

9. No development shall take place until a Site Waste Management Plan,

confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

10. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. the approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

11. 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.

The detailed landscaping plans 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

8 **APP/15/01040: CLEARED SITE GRASSED ADJACENT 54, OLD BIDSTON ROAD, BIRKENHEAD, CH41 8BL - ERECTION OF THREE DWELLINGS**

The Assistant Chief Executive submitted the above application for consideration.

On a motion by Councillor K Hodson and seconded by Councillor Walsh and

Resolved (12:0) 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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6356/02a and listed as follows: (Dated 07.15)
3. Before any construction commences, samples of the facing/roofing/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.

4. No development shall take place until an assessment is carried out in accordance with authoritative technical guidance (CLR11). If any contamination posing unacceptable risks is then found, a report specifying the measures to be taken to remediate the site to render it suitable for the approved use shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority. If during the course of development any contamination posing unacceptable risk is found which has not been previously identified, additional measures for the remediation of the land shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report shall be submitted to and approved by the Local Planning Authority

5. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

6. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

- 9 **APP/15/01087: BEBINGTON SERVICE STATION, 152 KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ - DEMOLITION OF THE EXISTING SERVICE STATION, AND REDEVELOPMENT TO PROVIDE A NEW PETROL FILLING STATION FACILITY, COMPRISING OF CANOPY/FORECOURT, SALES BUILDING WITH ATM, UNDERGROUND STORAGE TANKS, ASSOCIATED PARKING, LANDSCAPING AND OTHER ANCILLARY WORKS.**

Resolved – That consideration of this item be deferred for a formal site visit.

- 10 **APP/15/01143: 78 DAWSTONE ROAD, GAYTON, CH60 8ND - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO**

DETACHED DWELLINGS. AMENDMENT TO PREVIOUSLY WITHDRAWN APPLICATION REF APP/15/00061

Resolved – That following publication of the agenda, the item be deferred to allow for the submission and consideration of further details.

- 11 **APP/15/01166: DALESIDE NURSING HOME, 136-138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB - FIRST FLOOR EXTENSION TO PROVIDE THREE BEDROOMS (AMENDED PROPOSAL)**

Resolved – That consideration of this item be deferred for a formal site visit.

- 12 **APP/15/01174: AMENITY OPEN SPACE, ST NICHOLAS ROAD, WALLASEY VILLAGE - CHANGE OF USE TO RESIDENTIAL GARDEN**

Resolved – That consideration of this item be deferred for a formal site visit.

- 13 **APP/15/01182: THE LYDIATE, HESWALL, WIRRAL, MERSEYSIDE, CH60 8PR - RESIDENTIAL DEVELOPMENT FOR TWO DETACHED DWELLINGS WITH DETACHED GARAGES INCLUDING ASSOCIATED LANDSCAPING WORKS**

The Assistant Chief Executive submitted the above application for consideration.

On a motion by Councillor Walsh and seconded by Councillor Foulkes it was:

Resolved (12:0) 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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on 24 August 2015 and listed as follows: B101, B102, B103, B105, B107, B108, B109 and B100
3. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.
4. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

5. The development shall be constructed in accordance with the submitted Construction Management and shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

6. No retained trees, shrubs or hedges shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(a) If any retained tree, shrub or hedge is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(b) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition —retained tree, shrub or hedge means an existing tree, shrub or hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

7. No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the

protected areas(s).

8. The following activities must not be carried out under any circumstances:

- a, No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.**
- b, No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.**
- c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.**
- d, No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA**
- e, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.**

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

10. Prior to commencement of development details of a surface water management plan shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in full in accordance with the agreed plan and retained as such thereafter.

11. No part of the development shall be brought into use until areas for vehicle parking, turning and manoeuvring have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) there shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof, without the prior written approval of the Local Planning Authority.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no garages, outbuildings or enclosure shall be constructed within the applications site without the prior written approval of the Local Planning Authority.

14. Prior to the first occupation of the dwellings, the proposed window to the side elevations shall be obscurely glazed and non opening up to a height of 1.7m above the floor level of the room they serve. They shall be retained as such thereafter.

- 14 **APP/15/01202: 50 EGERTON ROAD, CLAUGHTON, CH43 1UJ - DOUBLE STOREY REAR EXTENSION, RAISED BALCONY AND GARAGE CONVERSION TO ANNEXE ROOM**

Resolved – That consideration of this item be deferred to allow for further publicity following amended description of development.

- 15 **APP/15/01235: 2 SHELLEY WAY, WEST KIRBY, CH48 3LQ - RETENTION OF GARDEN PAVILION/SUMMER HOUSE (RESUBMISSION OF APP/14/01323)**

The Assistant Chief Executive submitted the above application for consideration.

A Ward Councillor addressed the Committee.

It was moved by Councillor Elderton and seconded by Councillor Boulton that the application be refused on the following grounds:

‘The pavilion already constructed and sited close to the common boundary is of such a scale and height as to be overbearing and is considered to be an intrusive and unneighbourly form of development and therefore has a detrimental impact on the residential amenity of the occupiers of no 4 Shelly Way and is contrary to policy HS 11 of Wirral’s Unitary Development Plan.’

The motion was put and carried (7:5)

Resolved (7:5) That the application be refused on the following grounds:

The pavilion already constructed and sited close to the common boundary is of such a scale and height as to be overbearing and is considered to be an intrusive and unneighbourly form of development and therefore has a detrimental impact on the residential amenity of the occupiers of no 4 Shelly Way and is contrary to policy HS 11 of Wirral’s Unitary Development Plan.

- 16 **APP/15/01320: BARNCROFT, LARCHWOOD CLOSE, PENSBY, WIRRAL - 21 EXTRA CARE APARTMENTS INCLUDING SUPPORT FACILITIES, CAR PARKING AND LANDSCAPED GARDENS**

Having previously declared a prejudicial interest, Councillor S Foulkes left the meeting during consideration of this item.

The Assistant Chief Executive submitted the above application for consideration.

A Petitioner addressed the Committee.

The Applicant addressed the Committee.

A Ward Councillor addressed the Committee.

It was moved by Councillor Walsh and seconded by Councillor Johnson and

Resolved (11:0) 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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on 2 October 2015 and listed as follows: 14F098/001 dated Jul 14, 14G106/001 and 14G106/002 dated Aug 14, Barn/03 dated Sept 15, P4086 - 001B, P4086 - 002A, P4086 - 003G, P4086 - 004H, P4086 - 005D, P4086 - 006C, P4086 - 007F and P4086 - 008B dated September 2015**
- 3. The hard and soft landscaping scheme shown on plan reference numbers P4086 – 008B and Barn/03 dated September 2015 hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. 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.**
- 4. The development shall be carried out in accordance with the proposed ground levels and proposed finished floor levels as shown on the approved plans, P4086 – 005D, P4086 – 006C dated September 2015, 14F098/001 dated Jul 14, 14G106/001 and 14G106/002 dated Aug 14 unless otherwise agreed in writing by the Local Planning Authority.**
- 5. 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.**
- 6. No development shall take place until a Site Waste Management Plan,**

confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

7. Prior to the first occupation of the residential units, arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. the approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

8. 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.

9. Foul and surface water shall be drained on separate systems.

10. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5l/s.

11. Montbretia is an invasive species and if found on the site, full details of a scheme for its eradication shall be submitted to and approved in writing by the Local Planning Authority before any building works are commenced. The scheme shall include details that the Montebretia is mechanically grubbed up and buried by a depth of at least 1 metre within the boundary; a timetable for implementation and clearly identify the extent of the Montebretia on a scaled plan. The development shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

12. No tree felling, scrub clearance, hedgerow removal, vegetation management or ground clearance shall take place during the period of 1 March to 31 August inclusive unless otherwise agreed in writing by the Local Planning Authority. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub and hedgerows shall be checked by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected shall be submitted to and agreed in writing by the Local Planning Authority.

13. 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 occupiers 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.

17 **PROPOSED ADOPTION FOR THE LOCAL LISTED BUILDING CONSENT ORDER FOR RESIDENTIAL HOUSE THAT ARE GRADE II LISTED IN PORT SUNLIGHT VILLAGE CONSERVATION AREA**

A Report by the Assistant Chief Executive provided an update to the Report of the Strategic Director of Regeneration and Environment presented to the Planning Committee on 17 September which sought permission to consult on a proposed Listed Building Consent Order (LLBCO), for the Port Sunlight Conservation Area. Members were informed that, following their consent, a consultation process had now been completed and responses were included in an appendix to the report.

Members were advised that Local Listed Building Consent Orders (LLBCOs) were introduced through the Enterprise and Regulatory Reform Act 2013 (ERRA 2014) which gave Local Planning Authorities powers to make Legal Orders granting general Listed Building Consent for certain alterations (but not demolitions) to specified listed buildings. Members were informed that the measures were intended to simplify the development and management of listed buildings and came into force in April 2014.

Members heard how the Council had been working with Port Sunlight Village Trust (PSVT), with the support of Historic England to develop the LLBCO for specific buildings in the Port Sunlight Conservation Areas.

It was explained that the purpose of this LLBCO is to:

- i. Streamline and clarify the consent process for the most common listed building consent applications for owners in Port Sunlight Village;
- ii. provide clear and reliable information to empower property owners to address enforcement issues;

- iii. reduce capacity issues on the Council by reducing time spent on reviewing repetitive listed building consent applications.

Members heard how the consultation process work began on 18 September 2015 whereby consultation letters were sent out. At the same time, ten Site Notices were posted on lampposts within the area and additional site notices were posted in village bulletin boards and the Port Sunlight Village Trustees. Members were then advised that there were also two consultation events held in Port Sunlight village; the first on 7th October from 1:30 – 3:30pm and the second on 22nd October from 5:30 – 7:30pm, during which, a total of 25 residents attended. It was explained that the consultation exercise was largely positive and comments were summarised within the report.

It was explained how it is a requirement that the proposed order would be subject to continuous monitoring to assess its effectiveness and the Council would consider annual reports on the progress of the LLBC.

Councillor Mitchell addressed the Committee to thank officers for all their hard work through the consultation process and subsequent preparation of the report. This was endorsed by the Committee.

Councillor Leech further praised Officers for their work and identified to the Committee that if approved, Wirral be the lead Authority in the implementation of a LLBCO.

Resolved (12:0):

That the Local Listed Building Consent Order for Port Sunlight be adopted for a period of ten years.

18 **PLANNING APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 12/10/2015 AND 12/11/2015**

The Assistant Chief Executive submitted a report detailing planning applications decided under Delegated Powers between 12/10/2015 and 12/11/2015.

Resolved – That the report be noted

Agenda Item 4

Planning Committee

17 December 2015

Reference:
APP/15/00515

Area Team:
North Team

Case Officer:
Mr K Spilsbury

Ward:
Bidston and St James

Location: Land to the north of Copper Beech, 99 ELEANOR ROAD, BIDSTON, CH43 7QW

Proposal: Erection of 2 No. four-bedroom houses and 2 No. five-bedroom houses

Applicant: Mr D Kenny

Agent : N/A

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: Land adjacent 99 ELEANOR ROAD, BIDSTON, CH43 7QW
Application Type: Full Planning Permission
Proposal: Extension of time limit for implementation of previously approved planning application 05/5803 - Erection of 6 flats and 1 house.
Application No: APP/10/00414
Decision Date: 03/06/2010
Decision Type: Approve

Location: Land North of Eleanor Park, Eleanor Road, Bidston, Wirral, CH43 7QW
Application Type: Full Planning Permission
Proposal: Erection of 6 apartments and 1 dwelling and associated highway works
Application No: APP/05/05803
Decision Date: 27/05/2005
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 10 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 7 letters of objection from the occupiers of 5 & 6 Eleanor Park, 53 & 99 Eleanor Road and 4 & 6 West Brow Gardens and a petition signed by 30 signatures. The objections are summarised as follows:

1. There are protected trees on the plot that will be removed;
2. The proposed access road is too narrow and will cause highway problems;
3. Properties have insufficient parking and will result in parking on Eleanor Road adjacent to Eleanor Park and West Brow Gardens;
4. The new junction would be a traffic hazard due to the proximity of the adjacent access. A previous application has been refused citing concerns over the use of an access from Eleanor Road;
5. The plans are misleading. The entrance and garage have been reduced to suggest the impact on the entrance will be less;
6. The development will cause structural and drainage problems due to excavation of the land; and
7. Letters were received late from the planning department.

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Head of Environment & Regulation (Pollution Control Division) - No Objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection signed by 30 signatures has been received in objection to the scheme. Under the Scheme of Delegation for Determining Planning Applications, this planning application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for the erection of 4 detached dwellings located on a currently vacant site. Planning permission APP/2005/5803 for 6 flats and a 1 dwelling house has been granted in the past, but has now expired. Six apartments in a four storey building and two detached houses was dismissed at appeal on 17 March 2004 (APP/03/05917 refers).

PRINCIPLE OF DEVELOPMENT

The site is designated as part of Primarily Residential Area in the Wirral Unitary Development Plan and is covered by a tree protection order. Residential development is acceptable in principle subject to the

policies outlined below.

SITE AND SURROUNDINGS

The site was previously part of the larger residential site of West Brow and its associated gardens. This has since been demolished leaving the site to become overgrown and derelict.

The site subject of this application is a small area of deciduous woodland, which includes a number of specimens protected by tree preservation orders. There are significant changes in levels on the site with the gradient falling from Eleanor Road on the eastern boundary of the site down towards the Cricketers and Beechwood Estates. The gradient of some of these changes result in steep slopes within the site.

The site measures 30.5 metres in width and 79.0 metres in length. It has a total area of 0.24 hectares or 0.01 acres. The site is roughly rectangular and located between the residential street of Lords Avenue to the west, Eleanor Road to the east, and between to the recent residential developments of Eleanor Park to the south and West Brow Gardens to the North.

Eleanor Park is configured in a cul-de-sac formation, consisting of detached dwellings, similar in design. The development of West Brow Gardens incorporates a similar design and layout; and, the associated dwellings are of a similar scale and massing.

POLICY CONTEXT

Eleanor Road is designated as part of a Primarily Residential Area in the Wirral Unitary Development Plan. Residential development is acceptable in principal subject to the provisions of Policy HS4 Criteria for New Housing Development and Policy GR7: Trees & Development. Because of the dense tree cover on the western slopes of Bidston Hill, the Eleanor Road Development Brief was introduced as material consideration to provide a framework for development with the intention of maintaining the landscaped character of the area and allowing visual transition into the natural heath woodland on the crest of the hill.

UDP Policy HS4 indicates that housing development will be acceptable subject to it being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development; the proposal not resulting in a detrimental change in the character of the area; access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access; the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5; the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime; and the provision of adequate individual private or communal garden space to each dwelling

The site falls within Zone 1 of the Density of Development guidelines of the Eleanor Road Development Brief. This states that a maximum of 10 dwellings per hectare (4 per acre) should be used, in conjunction to due regard for local topography and protected trees. This also states that due regard should be paid to the mass, scale, and general appearance of original surviving house types present in the localised vicinity. These being predominantly no more than three-storey in their physical appearance.

Policy GR7: Trees and New Development is also directly relevant. In assessing the protection to be given to trees on development sites the Local Planning Authority will consider the general health, structure, size and life expectancy of trees, their visual value within the locality and their value for nature conservation.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

The National Planning Policy Framework (NPPF) states that the purpose of Planning is help to achieve sustainable development and that good design is a key aspect which should contribute positively for making places better for people. The NPPF also says that local planning authorities should resist inappropriate development of residential gardens where the development would cause harm to the local

area. It is not considered that the proposed development is of such a scale to represent any harm to the local area in terms of amenity as well as heritage and conservation, given the mix and density of development that already exists within the immediate locality. It is considered that the proposed development is in keeping with the principles of the NPPF.

APPEARANCE AND AMENITY ISSUES

Following consultation with the applicant, the layout of the scheme has been amended to ensure that there is adequate spacing between dwellings, and sufficient outlook from habitable room windows.

The proposal is for 4 detached dwellings with landscaping, private amenity space and parking.

The development provides two house types all of which are detached 2 and 2.5 storeys in height. The overall scale of the dwellings are considered to be in keeping with the character of the area and replicate the surrounding built form. The layout is consistent with the density of the surrounding area and a lot less than previously approved on the site. APP/05/5803 - Erection of 6 apartments and 1 dwelling and associated highway works was approved 27/05/2005 and then the permission was extended in 2010 on 03/06/2010.

Each of the properties has dedicated private residential amenity space, off street parking and a garage. Property A has 6 bedrooms spread over the top two floors, type B has 4 bedrooms spread over the top two floors.

The architectural form of the dwellings reflects the character of the surrounding housing stock and as such are fairly traditional in aesthetic.

The scale, design and siting of the proposal was considered acceptable under planning application APP/05/05803 for the erection of 6 flats and a detached dwelling. This proposal is a less dense scheme and is for housing and as such is deemed acceptable in terms of the character of the area.

At the time of writing this report eight letters of objection has been received from the occupier of 5 & 6 Eleanor Park, 53 & 99 Eleanor Road and 4 & 6 West Brow Gardens. The objections are summarised as follows:

1. There are protected trees on the plot that will be removed
2. The proposed access road is too narrow and will cause highway problems
3. Properties have insufficient parking and will result in parking on Eleanor Road adjacent to Eleanor Park and West Brow Gardens
4. The new junction would be a traffic hazard due to the proximity of the adjacent access. A previous application has been refused citing concerns over the use of an access from Eleanor Road.
5. The plans are misleading; the entrance and garage have been reduced to suggest the impact on the entrance will be less.
6. The development will cause structural and drainage problems due to excavation of the land
7. Letters were received late form the planning department?

The development has been assessed by the Head of Environment & Regulation (Traffic & Transportation Division) who have considered the application in terms of the impact upon the existing road network, parking, as well as traffic and pedestrian safety. They state; four proposed dwellings on an unadopted private driveway are unlikely to have any significant traffic or highway safety impacts. As such no objections have been raised and therefore an objection on these grounds could not be sustained.

There are tree preservation orders on the site and as such the applicant has submitted a tree survey assessing the impact of the development upon the existing trees. The Arboricultural officer has assessed the application and is content that the removal of a large number of trees on the site would not harm the overall character of the area on the basis that a condition be attached to secure details of the proposed landscaping and boundary treatment as well as a replacement planting scheme.

In relation to the objection raised over the potential for structural damage caused by the construction process this is not a planning matter and as such a refusal on these ground could not be sustained. However in the interest of preserving the character of the area a construction management plan

condition could be attached to the application should members be minded to approve the scheme.

The Head of Environment & Regulation (Pollution Control Division) has been consulted and has raised no objections to the scheme. The overall design and layout is considered to be a significant improvement on the previous application that incorporated a large three storey block of flats and a large detached dwelling. Dwellings have been orientated to ensure there is no overlooking and as such accord with the Council's proscribed separation distances.

The proposed development is deemed acceptable in terms of the criteria set out in Wirral's UDP and the NPPF and is hereby recommended for approval.

SEPARATION DISTANCES

The adjacent properties No.99 Eleanor Road and No.1 Westbrow Gardens do not have habitable windows facing the site. The application has been amended at the request of the LPA to ensure all separation distances are met and as such there will be no overlooking or loss of amenity.

HIGHWAY/TRAFFIC IMPLICATIONS

As stated above the development has been assessed by the Head of Environment & Regulation (Traffic & Transportation Division) who have considered the application in terms of the impact upon the existing road network, parking, as well as traffic and pedestrian safety. They state; the proposed dwellings on an unadopted private driveway are unlikely to have any significant traffic or highway safety impacts.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Environmental/Sustainability issues relate to loss of protected trees from proposal.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered acceptable in terms of its siting, size and design. The proposal does not result in loss amenity having regards to privacy, daylight or sunlight to neighbouring properties and is acceptable in highway safety terms. The development complies with Council policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning policy Framework 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is considered acceptable in terms of its siting, size and design. The proposal does not result in loss amenity having regards to privacy, daylight or sunlight to neighbouring properties and is acceptable in highway safety terms. The development complies with Council policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning policy Framework and is therefore recommended for approval.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 25th November 2015 and listed as follows:

2383/02/03 rev A (Dated 23/11/15), 2383/02/02, 2383-02-03, 2383-02-04, 2383-02-05, 2383-02-06, 2383-02-07, 2383-02-07, 2383-02-08, 2383-02-09, 2383-02-10, 2383-02-11, 2383-02-12, 2383-02-13, 2383-02-18, 2383-02-19, 2383-02-20, 2383-02-21, 2383-02-22, 2383-02-23, 2383-02-24, 2383-02-25, 2383-02-26 and 2383-02-27

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

3. Before any construction commences, samples of the facing/roofing/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.

4. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

5. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full unless otherwise agreed in writing with the local planning authority.

Reason: to ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan

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.

The detailed landscaping plans 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 HS4 of the Wirral Unitary Development Plan.

7. No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the LPA. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with that specification and in accordance with BS 3936 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS4043, 1989, Transplanting root-balled trees; and BS4428,

1989, Code of practice for general landscape operations (excluding hard surfaces). The approved tree planting scheme shall be implemented in full in accordance with a timetable to be agreed by the Local Planning Authority and it shall be retained as such thereafter

Reason: In the interest of amenity having regards to policy HS4 and GR7 of Wirral's UDP

8. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and those satisfactory gradients are achieved.

9. 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.

10. NO DEVELOPMENT SHALL COMMENCE ON SITE until full details of the estate road and access onto Eleanor Road, including but not restricted to footways, footpaths, verges, junctions, sewers, drains, service water outfall, visibility splays, carriageway gradients, drive gradients and a timetable for provision of such works, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the details have been constructed and laid out in accordance with the details as approved.

Reason: To ensure satisfactory and safe access to the site and that the development is laid out and constructed in a satisfactory manner having regard to Policy HS4 of the Wirral Unitary Development Plan.

Last Comments By: 27/10/2015 16:15:32

Expiry Date: 11/11/2015

This page is intentionally left blank

Planning Committee

17 December 2015

Reference:
APP/15/01087

Area Team:
South Team

Case Officer:
Mr K Spilsbury

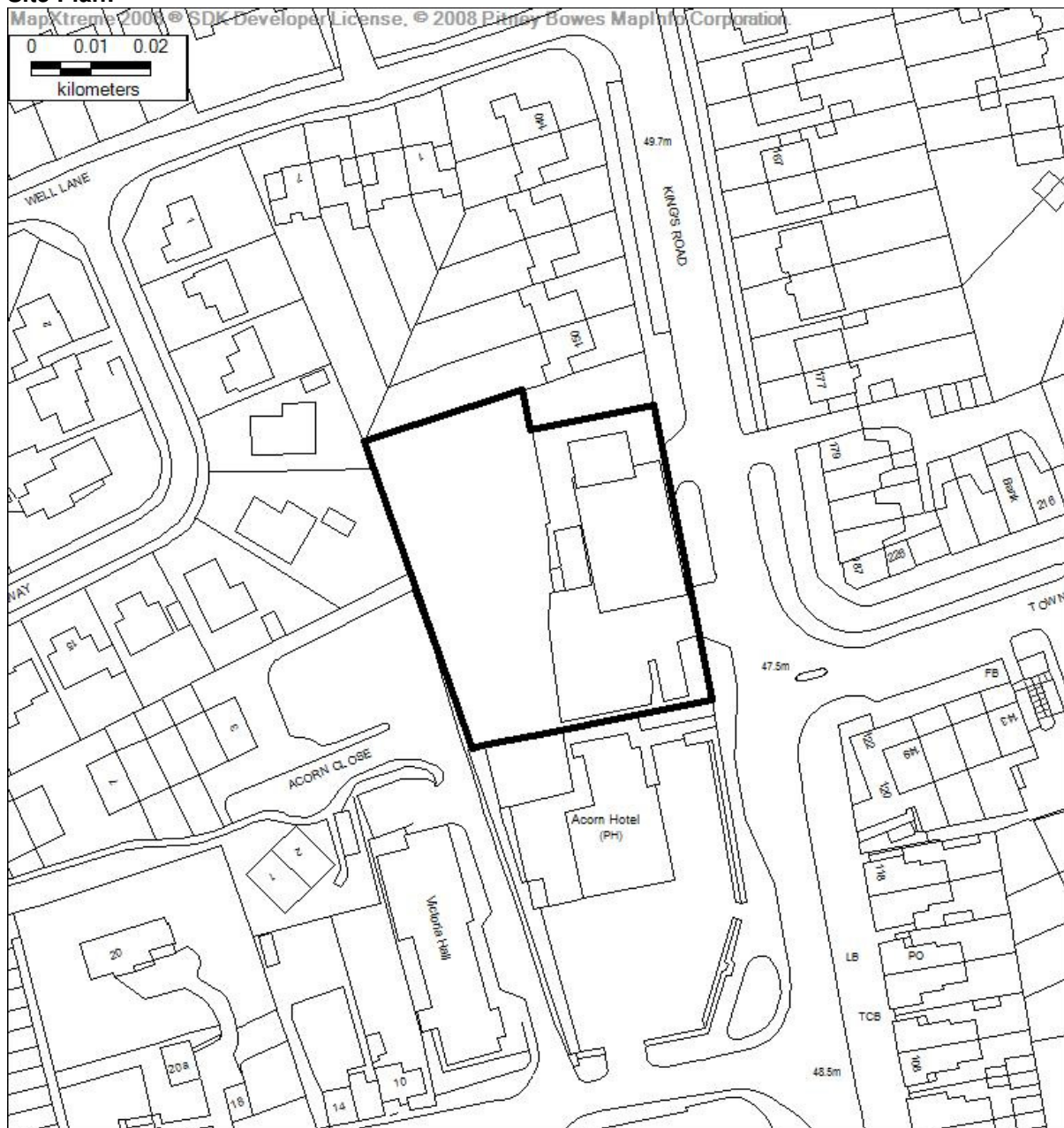
Ward:
Bebington

Location: BEBINGTON SERVICE STATION, 152 KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ

Proposal: Demolition of the existing service station, and redevelopment to provide a new petrol filling station facility, comprising of canopy/forecourt, sales building with ATM, underground storage tanks, associated parking, landscaping and other ancillary works.

Applicant: Rontec Service Stations 1A Limited
Agent : Rapleys LLP

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: Total Services, KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ

Application Type: Full Planning Permission

Proposal: To amend opening hours of the store to 06.00-23.00 hour trading
Monday-Sunday

Application No: APP/12/00232

Decision Date: 04/05/2012

Decision Type: Approve

Location: Total Services, KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ

Application Type: Full Planning Permission

Proposal: Application to vary condition 10 of planning approval App/1998/5692 to allow
trading from 06:00 to midnight.

Application No: APP/13/00595

Decision Date: 28/06/2013

Decision Type: Approve

Location: Total Services, KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ

Application Type: Full Planning Permission

Proposal: The Retention of a Free Standing Automated Teller Machine and Bollards

Application No: APP/13/01423

Decision Date: 17/01/2014

Decision Type: Approve

Location: Total Services, KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ

Application Type: Full Planning Permission

Proposal: Remove Condition 1 of planning permission APP/13/00595 to allow opening
hours of 06:00 - midnight

Application No: APP/14/00534

Decision Date: 18/06/2014

Decision Type: Approve

Location: Totalfina Petrol Filling Station, Kings Road, Higher Bebington, Wirral, CH63
8PZ

Application Type: Advertisement Consent

Proposal: Erection of an illuminated box sign

Application No: ADV/03/05077

Decision Date: 05/03/2003

Decision Type: Approve

Location: Totalfina Petrol Filling Station, Kings Road, Higher Bebington, Wirral, CH63
8PZ

Application Type: Full Planning Permission

Proposal: Erection of freestanding ATM building

Application No: APP/03/05078

Decision Date: 17/04/2003

Decision Type: Approve

Location: Bebington Service Station, Kings Road, Higher Bebington, L63 8EZ.

Application Type: Advertisement Consent

Proposal: Retention of pole sign and illuminated signs for shop, car wash and south
elevation of canopy.

Application No: ADV/93/06609

Decision Date: 25/04/1994

Decision Type: Approve

Location: Bebington Service Station, Kings Road, Higher Bebington, Wirral, L63 8PZ
Application Type: Full Planning Permission
Proposal: Erection of new sales building and lifting canopy to give headroom of 4.5m & refrigeration plant area (amended description).
Application No: APP/98/05692
Decision Date: 20/10/1998
Decision Type: Approve

Location: Bebington Service Station, Kings Road, Higher Bebington. L63 8PZ
Application Type: Advertisement Consent
Proposal: Erection of illuminated pump spreader units.
Application No: ADV/90/06156
Decision Date: 20/07/1990
Decision Type: Approve

Location: Bebington Service Station, Kings Lane, Higher Bebington. L63 8PZ
Application Type: Advertisement Consent
Proposal: Erection of sign on north elevation. Erection of fascia sign on south elevation, shop sign on south elevation, and relocation of pole sign.
Application No: ADV/89/07321
Decision Date: 14/02/1990
Decision Type: Refuse

Location: Bebington Service Station, Kings Road, Higher Bebington. L63 8PZ
Application Type: Advertisement Consent
Proposal: Erection of illuminated fascia signs on canopy and sales building.
Application No: ADV/89/06354
Decision Date: 05/09/1989
Decision Type: Refuse

Location: Bebington Service Station, Kings Road, Higher Bebington. L63 8PZ
Application Type: Full Planning Permission
Proposal: Erection of a new control building, canopy, carwash and pump island.
Application No: APP/88/05824
Decision Date: 21/07/1988
Decision Type: Refuse

Location: Total Services, KINGS ROAD, HIGHER BEBINGTON, CH63 8PZ
Application Type: Full Planning Permission
Proposal: To amend opening hours to allow 24 hour trading
Application No: APP/13/00287
Decision Date: 30/04/2013
Decision Type: Withdrawn

Location: Bebington Service Station, Kings Road, Higher Bebington, Wirral, L63 8PZ
Application Type: Full Planning Permission
Proposal: Erection of a bungalow.
Application No: APP/82/20328
Decision Date: 02/02/1983
Decision Type: Withdrawn

Location: Bebington Service Station, Kings Road, Higher Bebington. L63 8PZ
Application Type: Advertisement Consent
Proposal: Erection of illuminated signs to canopy, shop, pumps and carwash.
Application No: ADV/89/07357
Decision Date: 29/11/1989
Decision Type: Withdrawn

Location: Bebington Service Station, Kings Road ,Bebington ,L63 8PZ
Application Type: Full Planning Permission
Proposal: Liquid Petroleum Gas (1000 kg max.) storage compound to existing petrol filling station
Application No: APP/83/23959
Decision Date: 19/01/1984
Decision Type: Approve

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 six letters of objection has been received from the occupiers of the Co-operative food store, 144, 150, 171 Kings Road and 9 Orchard Way. The objections are summarised as follows:

1. concern over the trading impact on the Co-op and other shops within the parade and on the defined centres within the area
2. The robustness of the retail assessment
3. Requirement for impact assessment
4. Impact of the new development on neighbours in terms of noise and disturbance,
5. Increased litter,
6. The design being out of character with the surrounding area
7. The impact upon local shops in the area.
8. The occupier of 150 Kings Road has also spotted a number of errors in the plan that have been rectified by the applicant following discussions with the LPA.

The Co-operative Food division have objected to the scheme on the grounds of the trading impact upon its own food store on the opposite side of Kings Road, and on other convenience stores in the area and within defined centres. They state that the trade from the new food store will be from further afield than the 1km catchment area and that the applicant must clearly define and provide evidence for the size of the catchment area.

They consider that the PFS facilities will draw trade from a wide geographical area due to the nature of PFS trade. In addition, the facility may also provide for top up shopping needs of a localised walking catchment in this location.

In terms of impact assessment the Co-operative has suggested that the LPA must follow the emerging development plan policy CS28 from the Core Strategy which on adoption will require an impact assessment for convenience goods floorspace over 200 sq.m.

Councillor Jerry Williams has also taken the application out of delegation stating the development is an overdevelopment and local residents have concerns over the consequences of the development.

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Head of Environment & Regulation (Pollution Control Division) - No Objections

United Utilities - A public sewer crosses the site and drainage conditions are required

Director's Comments:

This application was deferred for consideration at Planning Committee on 26th November 2015 to allow for a formal Member's Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Jerry Williams requested that this application be taken out of delegation on the grounds that the development is an overdevelopment and local residents have concerns over the consequences of the development.

INTRODUCTION

The proposed development is for the demolition of the existing service station, and redevelopment to provide a new petrol filling station facility, comprising of canopy/fore court, sales building (A1 Use Class) with ATM, underground storage tanks, associated parking, landscaping and other ancillary works.

PRINCIPLE OF DEVELOPMENT

The main principles for new retail development in UDP Policy SHO1 is to sustain and enhance the vitality and viability of key town centres, traditional suburban centres and other shopping provision and ensure easy access by a choice of transport modes. The site is located within a small shopping centre in a Primarily Residential Area where UDP Policies HS15 and SH4 would permit small retail development subject to criteria that includes protection for the neighbours' amenity and the character of the area. As the site is not within a defined town centre, the proposal is also subject to UDP Policies SH9 and SH10 Out-of Centre and Edge-of Centre Retail Development where retail development will only be permitted if the benefits outweigh the disadvantages when assessed against criteria, which is set out below under the Policy Context.

SITE AND SURROUNDINGS

The premises is an existing Total self-service petrol filling station (PFS) located on Kings Road in Bebington. There is an associated shop and car wash attached to the premises as well as 4 petrol pumps on the fore court and a self-service tyre pressure and pump facility.

The Acorn public house lies to the south and there is a small parade of shops opposite, including newsagents, cafe and co-operative food store.

It is considered that there are a mix of uses located within the surrounding area, comprising of residential properties to the north and west. To the south of the site lies The Acorn public house. In addition, on the opposite side of Kings Road there is a parade of shops including a newsagent's, cafe and co-operative convenience store.

POLICY CONTEXT

The site is located within a Primarily Residential Area in Bebington Ward and as such UDP Policy HS15 – Non Residential Uses in Primarily Residential Area is directly relevant. This states that within the Primarily Residential Areas as defined on the Proposals Map, 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 vehicles.

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

UDP Policy SH01 – Principles for New Retail Development

In considering proposals for new retail development, the local planning authority will seek to sustain and enhance the vitality and viability of key town centres, traditional suburban centres and other shopping provision in the borough and ensure that people have easy access by a choice of transport modes to a wide range of shopping provision.

UDP Policy SH4 – Small Shopping Centres & Parades

Retail development is permitted where the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, particularly in respect of noise and disturbance, on-street parking or delivery vehicles – where necessary a suitable condition will be imposed on hours of opening/ operation.

UDP Policy SH8 – Criteria for Shop Fronts

Proposals including new shop fronts where company colours, logos and advertising are compatible with the character of the area, any security shutters are painted and perforated in design, and the new shop is fully accessible by people with disabilities.

Policy SH9 – Criteria for Out of Centre & Edge of Centre Retail Development

The site is not designated as part of key town centre or traditional suburban centre. In which case out of centre or edge of centre retail development could only be permitted where the Local Planning Authority is satisfied (A), that the benefits of the proposal outweigh the disadvantages when assessed against the following criteria; and (B), the proposal satisfies all the additional criteria in Policy SH10:

- (i) the proposal, together with other recent or proposed retail development does not undermine the vitality and viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outside the Borough boundary;
- (ii) the extent to which retail development on the site would confer urban regeneration or environmental benefits when compared with:
 - (a) alternative uses for the site; and
 - (b) alternative sites elsewhere capable of accommodating the proposed development;
- (iii) the proposal is accessible by a choice of mode of transport and is easily accessible for pedestrians, disabled people and cyclists from the surrounding area;
- (iv) the proposal does not have any adverse effect on overall travel and car use.

The Local Planning Authority may request that a developer submits an assessment of retail impact where it considers that this would be of assistance in considering the effect of an out-of-centre or edge-of-centre proposal on the vitality and viability of a nearby Key Town Centre or Traditional Suburban Centre.

UDP Policy SH10 - Design and Location of Out-of-Centre and Edge-of-Centre Retail Development

Proposals should not generate excess traffic; provide adequate access, servicing, off street parking and cycle parking; siting, scale, design and choice of materials should be appropriate to the character of the area and the proposal should not cause nuisance to neighbouring uses.

The proposal is considered to comply with Policy SH10 as the traffic generated by the proposal can be satisfactorily accommodated on the highway network and that adequate parking, servicing and cycle parking facilities will be provided. The layout, scale, and design of the proposed retail store are appropriate to the character of the surrounding area and will not cause nuisance to neighbouring uses.

Joint Waste Local Plan

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, and Policy WM9 also requires development to provide measures for waste collection and recycling.

National Planning Policy Framework (NPPF)

Both UDP Policy SH4 and Policy SH9 are partially updated by subsequent changes in national planning policy, in which NPPF paragraph 27 makes it clear that applications of this type should be refused if it fails the sequential test or if it is likely to have a significant adverse impact on planned town centre investment, and town centre vitality and viability.

In addition to this, planning decisions when promoting healthy communities are expected to guard against the loss of valued facilities where this would reduce the community's ability to meet its daily needs and to ensure shops are able to develop and modernise in a sustainable way and be retained for community benefit (NPPF, paragraph 70 refers).

Retail Policy Implications.

The forecourt shop / sales building of the existing service station currently consists of 92 sqm gross floorspace and 52 sqm net sales space, selling a limited range of grocery and vehicle related products. The scheme proposed through this planning application would increase the gross floor area of the forecourt shop by 277 sqm and the net sales area by 188 sqm, to provide a total gross floorspace of 369 sqm and a net sales area of 240 sqm.

The applicant has submitted a Sequential Assessment that identified three available properties with estimated floor spaces ranging from 72m² to 77m² at 220, 224 and 226 Bebington Rd within the Dacre Hill Traditional Suburban Centre, which are approximately 1.6km from the application site. It can be accepted that these sites would not, in this case, be suitable for the proposed development due to their limited size. Although, the new development is likely to attract passing trade from motorists that use the petrol station, it is also likely to attract walk in custom from the surrounding residential area. Thus, it can be considered that the limited catchment to include the nearest centre can be justified, having regard to existing retail stores of this size and nature.

In areas where there is no locally set floorspace threshold for requiring a retail impact assessment the default threshold in NPPF is 2,500m². The emerging Core Strategy is subject to change and the Council has undertaken consultation on proposed modifications to Policy CS28 which would set the threshold at 500m² for retail development within the catchment of a local centre. The gross floorspace for the new development would be 369m²; therefore it would be unreasonable in this particular case to require an impact assessment on any designated centre.

While the proposed development has the potential to have some impact on the trading of other stores within the vicinity of the site, it is considered unlikely that the increase in floorspace above the existing fore-court shop is likely to have a significant adverse impact.

APPEARANCE AND AMENITY ISSUES

At the time of writing this report objections have been received from the occupiers of the Co-operative food store, 144, 150, 171 Kings Road and 9 Orchard Way. The main thrust of the objections other than those by Co-operative that have been dealt with above relate to impact of the new development on neighbours in terms of noise and disturbance, increased litter, the design being out of character with the surrounding area and the impact upon local shops in the area. The occupier of 150 Kings Road has also spotted a number of errors in the plan that have been rectified by the applicant following discussions with the LPA.

The impact of the proposed retaining wall and the construction work on the land adjacent to 150 Kings Road will be controlled through condition should members be minded to approve the scheme. Following concern from local residents the applicant has agreed that the embankment will be reduced and re-graded in the course of the development, allowing for a smaller, less dominant retaining wall (no higher than 2.5m) to be constructed.

The Head of Environment & Regulation (Pollution Control Division) has been consulted with regards the potential for noise and disturbance as a result of ATM, increased activity and plant machinery and no objections have been raised. A refusal on those grounds could therefore not be sustained.

In terms of design the proposed PFS and associated A1 retail unit are simple and functional in appearance. The new sales building will be modern in appearance with windows that face both the fore court and turn the corner and address Kings Road. The building whilst being bigger than the existing will improve upon the overall appearance of the site and should members be minded to approve the scheme a condition is imposed to secure materials. The canopy over the fore court will be reduced in size allowing light to penetrate into the site and therefore enhance the overall appearance of a currently tired facility. The area is made up of a mix of uses, including both commercial (Acorn Public House, small parade of shops) and residential properties within close proximity to the site. It is considered the proposed facility will enhance the site as a whole without detriment to the character of the area.

The overall bulk and massing of the new building is deemed acceptable as the site is somewhat lower than the adjoining dwelling 150 Kings Road. The landscaped area to the north of the site will be retained and a condition for landscaping will be imposed should members be minded to approve the proposed scheme.

There is no evidence to suggest the development will result in increased litter in the area. In any case this is not a planning matter and as such a refusal on those grounds could not be sustained.

United Utilities suggest that a public sewer crosses the site, and that building over the sewer may not be

permitted. Records obtained by the developer from United Utilities indicate that only a foul water drain is situated within the site boundary. Plans provided in a report submitted to the LPA following consultation with the agent indicate that the drain is located away from the proposed building/canopy. This however is a matter to be dealt with by the applicant and United Utilities and does not affect the recommendation in planning terms.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be adversely affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

Head of Environment & Regulation (Traffic & Transportation Division) has raised no objections to the proposed scheme

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

It is considered that the proposed development is acceptable in terms of the criteria set out in the Wirral Unitary Development Plan, the Waste Local Plan and the National Planning Policy Framework and is therefore recommended for approval subject to conditions.

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 the Waste Local Plan (adopted July 2013) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the proposed development is acceptable in terms of the criteria set out in the Wirral Unitary Development Plan and the National Planning Policy Framework and is therefore recommended for approval subject to conditions.

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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6th October 2015 and listed as follows: 150515_PL4C (Dated 09/15), 150515_PL3D (Dated 09/15) & 150515_PL5A (Dated 07/15)

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

3. Before any construction commences, samples of the facing/roofing/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 HS15 of the Wirral Unitary Development Plan.

4. A scheme of planting to provide a screen along the northern boundary of the site consisting predominantly of evergreens or other suitable plants capable of growth to a height of 5 metres shall be carried out in accordance with details to be submitted to and approved by the Local Planning Authority before any work is commenced and the screen to be provided shall be subsequently maintained to the satisfaction of the Local Planning Authority. The approved scheme shall be fully implemented in the first planting season following commencement of any part of the approved development, and replacement planting shall be provided as necessary until the screen is fully established.

Reason: To ensure that proposed development/use does not prejudice the amenity of the locality and to ensure a proper standard of separation from neighbouring properties.

5. 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.

The detailed landscaping plans 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 HS15 of the Wirral Unitary Development Plan.

6. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and that satisfactory gradients are achieved.

7. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

8. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made for inclusion within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full before the development hereby approved is brought into use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan

9. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 (or any subsequent re-enactment) there shall be no creation of

additional floor space, including any additional mezzanine floor space, within the building hereby permitted as shown on the approved plans plan referenced 150515_PL3D (Dated 09/15). The retail unit, hereby approved, shall have gross internal floor space no greater than 369 sq.m with a net retail floor space no greater than 240sq.m as shown in the approved drawings. Sub division of the unit to form smaller retail outlets is not permitted.

Reason: For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of existing town centres. This enables the local planning authority to consider the implications of other formats as and when they may be put forward having regard to Wirral Unitary Development Plan Policy SH9 and National Planning Policy Framework.

10. Notwithstanding the provisions of Class A1 of the schedule to the Town and Country Planning (Use Classes Order) 1987 and schedule 2, part 3 of the Town and Country Planning (General Permitted Development Order) 2015 (or any subsequent re-enactment), the premises hereby approved shall only be used for the sale of convenience goods (including fuel), (other than those ancillary to the principal use of the premises). For the purposes of this condition, "ancillary" is defined as not exceeding 15% of the net retail floor space for unit.

Reason: For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of existing town centres. This enables the local planning authority to consider the implications of other formats as and when they may be put forward having regard to Wirral Unitary Development Plan Policy SH9 and the National Planning Policy Framework.

11. No trading shall take place at the premises between the hours of 00:00 midnight - 06:00 hours

Reason: In the interests of residential amenity having regard to Policy HS15 of the Wirral Unitary Development Plan.

12. Servicing and deliveries shall not take place between the hours of 23.00 hours and 07.00 hours Monday to Friday, 23.00 hours and 7.30 hours Saturday, and 23.00 hours and 08.00 on Sunday.

Reason: In the interest of residential amenity having regard to Policy HS15 of the Wirral Unitary Development Plan

13. Unless otherwise agreed in writing and in line with the surface water manage hierarchy, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt this site must be drained on a separate system combining just prior to connection to the public combined sewerage system. Any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow of 10 l/s. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

14. Notwithstanding the approved plans details of the vehicle crossings onto Kings Road shall be submitted to and agreed in writing with the Local Planning Authority prior to commencement of the development. The approved plan shall be implemented in full prior to first use and retained as such thereafter.

Reason: In the interest of highway safety.

Last Comments By: 08/09/2015 09:26:07

Expiry Date: 05/10/2015

Planning Committee

17 December 2015

Reference:
APP/15/01143

Area Team:
South Team

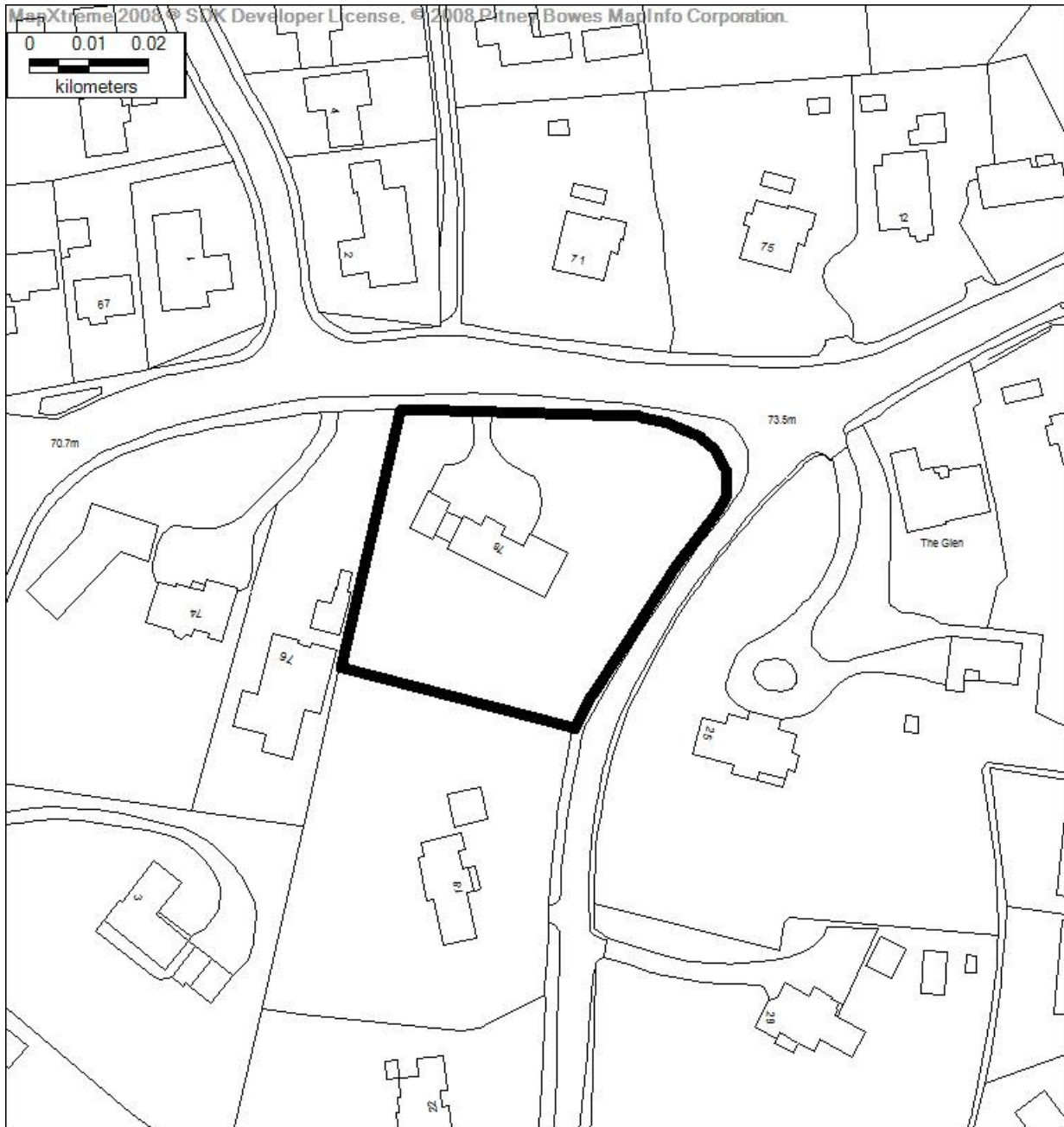
Case Officer:
Mrs S Day

Ward:
Heswall

Location: 78 DAWSTONE ROAD, GAYTON, CH60 8ND
Proposal: Demolition of existing dwelling and construction of two detached dwellings. Amendment to previously withdrawn application ref APP/15/00061

Applicant: Mr & Mrs Ball
Agent : SHACK Architecture Ltd

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Density and Design Guidelines Area
Primarily Residential Area

Planning History:

Location: 78 DAWSTONE ROAD, GAYTON, CH60 8ND
Application Type: Full Planning Permission
Proposal: Demolition of existing dwelling and construction of two detached dwellings
Application No: APP/15/00061
Decision Date: 02/04/2015
Decision Type: Withdrawn by Applicant

Location: 78, Dawstone Road, Gayton. L60 8ND
Application Type: Full Planning Permission
Proposal: Rear dormer windows.
Application No: APP/93/06472
Decision Date: 23/09/1993
Decision Type: Permitted development

Summary Of Representations and Consultations Received:REPRESENTATIONS:

Having regards to the Council's Guidance on Publicity of Applications, 6 letters were sent to neighbouring properties. A Site Notice was also displayed on site. 5 letters of support have been received and 32 letters of objection. The grounds of objection can be summarised as follows:

1. Replacement of a smaller dwelling with larger ones will set a precedent.
2. Rear balconies will lead to overlooking and loss of privacy
3. Loss of trees and greenery will harm the sylvan character of the area
4. The two houses are close together and will have the appearance of one large dwelling
5. Potential increase in on street parking on a blind bend
6. Increase in traffic will lead to an increase in noise and congestion
7. Proposal constitutes garden grabbing which is contrary to planning policy
8. Contrary to Unitary Development Plan policies

CONSULTATIONS:

Head of Environment and Regulation (Traffic and Transport Division) - No objection subject to vehicle crossing informative

Welsh Water - No objection subject to drainage conditions

Heswall Society - Object to the proposals - Size and cumulative massing of the dwellings will be out of character with the surrounding area. Development will result in a loss of trees and will constitute overdevelopment.

Director's Comments:

This application was deferred for consideration at Planning Committee on 26 November 2015 to allow for further information in relation to a bat roost survey to be considered.

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application has received over 15 individual letters of objection. Therefore, under the provisions of the Scheme of Delegation for Determining Planning Applications, these proposals must be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for a full application for the demolition of the existing property and the erection of two detached dwellings. a previous application for a similar proposal (APP/15/00061) was withdrawn by the applicant. This current application seeks permission for two dwellings of a reduced scale.

PRINCIPLE OF DEVELOPMENT

The site lies within a Primarily Residential Area which is also included in the Gayton Density and Design Guidelines Area in the Unitary Development Plan.

Any proposals for redevelopment would be considered primarily under Unitary Development Plan Policies HS4 - Criteria for new housing development, HS5 - Density and Design Guidelines 5. Gayton and Policy GR5 Landscaping and new development and GR7 - Trees and New Development. In addition the National Planning Policy Framework will form a material consideration.

SITE AND SURROUNDINGS

The application site is currently occupied by a detached bungalow. The existing building is a long linear building with a steep Arts and Crafts style roof. The footprint of the building runs east to west across the site and is setback some 22m from the Dawstone Road frontage. Access to the site is from Dawstone Road. The site is located at the corner of Dawstone Road and Well Lane. Views into the site and of the existing bungalow are limited due to the mature trees and hedges on the boundary of the site. Well lane to the rear of the site falls away to the south. The surrounding area is a mixture of house types and sizes with no one prevailing size or design. A number of the trees on site are covered by a Tree Preservation Order.

POLICY CONTEXT

Policy HS4 of the Unitary Development Plan UDP requires new housing developments be of a scale and form which relates well to surrounding properties and does not result in a detrimental change in the character of the area, to make satisfactory provision for off street parking and access and to provide appropriate boundary treatment and landscaping.

UDP Policy HS5 sets out the density and design guidelines for new development in the Gayton Area. The site falls within zone 2 where new development is permitted providing it does not exceed 3 dwellings per acre, has plot widths of 30m and is set back 19m from the front of the plot. Existing trees, hedges and banking should be disturbed as little as possible. Thus, new development is not ruled out as a matter of principle, so long as it maintains the characteristics of the area.

UDP Policies GR5 and GR7 aim to retain existing landscaped features that make a positive contribution to the area, whilst supporting and enhancing this with appropriate new landscaping.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, and Policy WM9 also requires development to provide measures for waste collection and recycling.

The NPPF supports well designed sustainable development which promotes the choice of high quality homes and takes the opportunities to improve the quality and character of the area.

APPEARANCE AND AMENITY ISSUES

The erection of two dwellings on this site is acceptable in principle, so long as the dwellings do not detract from the character of the area and do not harm the amenities of existing properties. A previous application for two dwellings was withdrawn by the applicant to address concerns over size, siting and impact on trees.

The current proposals are for 2 detached dwellings set between 19 and 20m back from the Dawstone Road frontage. The houses have the appearance of two storey at the front, with traditional style dormers set into the rear roof elevation. The houses are of a traditional design with proposed materials of brick, render and tile roof. As there are a mix of houses in the vicinity of the site, ranging from bungalows to three storey, the size and style of building is not out of character with the area.

Whilst the size and design of dwellings varies, the screening of properties provided by existing mature landscaping is a strong feature of the area. Houses are generally set well back from the road, with glimpses afforded through trees and hedges. The application site is no exception to this with a number of mature trees around the boundary of the site with Well Lane and Dawstone Road. Since the submission of the previous application the most significant trees on site have become protected by a

Tree Preservation Order. The Guidelines under Policy HS5 seeks to retain this characteristic of mature boundary landscaping through generous building lines and plot frontages.

The application site has a plot frontage of over 60m which is divided between the two plots and the houses would be set back over 19m into the plot. The original application brought plot 2 close to the boundary with Well Lane. This dwelling has been significantly reduced in size so that it is now at least 10m from the boundary with Well Lane. As such the proposals retain the important landscaping around the site, which in turn softens the appearance of the dwelling. The amended position of the dwellings on site ensures that root protection areas around protected trees are outside the footprint of the building.

The height of the buildings has been reduced by approximately 1m since the previous approval. This is combined with a reduction in the width of plot 2, significantly reduces the bulk of the buildings. The roof to each house is hipped which means that there is a strong visual break in the middle of the properties which improves the mass and appearance. Whilst the proposed new houses are no doubt larger than the existing bungalow, they are well designed and will make a positive visual impact on this corner site.

SEPARATION DISTANCES

The proposed houses have a rear garden depth of over 20m which will ensure privacy to 18 Well Lane to the rear. The rear first floor balconies are set in from the sides of the plot to ensure that privacy to 76 Dawstone Road is retained. Distances to properties on the north side of Dawstone Road are over 40m.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway objections to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed development will provide a positive visual feature on this corner site whilst retaining the existing landscaped characteristics of the area. The proposals are not in conflict with Unitary Development Plan Policies HS4, HS5 GR5 and GR7 or the National Planning policy framework.

Summary of Decision:

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

The proposed development will provide a positive visual feature on this corner site whilst retaining the existing landscaped characteristics of the area. The proposals are not in conflict with Unitary Development Plan Policies HS4, HS5 Gr5 and GR7 or the National Planning policy framework.

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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on August 13th 2015 and listed as follows:A102, A100, A106, A105, A103 and A104

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

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.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

4. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. (Note: The gradients of any new road or turning area should not exceed 1:25 and those of parking or loading bays should not exceed 1:40).

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and that satisfactory gradients are achieved.

5. NO DEVELOPMENT SHALL TAKE PLACE UNTIL a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

6. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made for inclusion within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full before the development hereby approved is brought into use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan.

Further Notes for Committee:

Last Comments By: 02/10/2015 15:48:31

Expiry Date: 08/10/2015

This page is intentionally left blank

Agenda Item 7

Planning Committee

17 December 2015

Reference:
APP/15/01166

Area Team:
South Team

Case Officer:
Miss A McDougall

Ward:
Rock Ferry

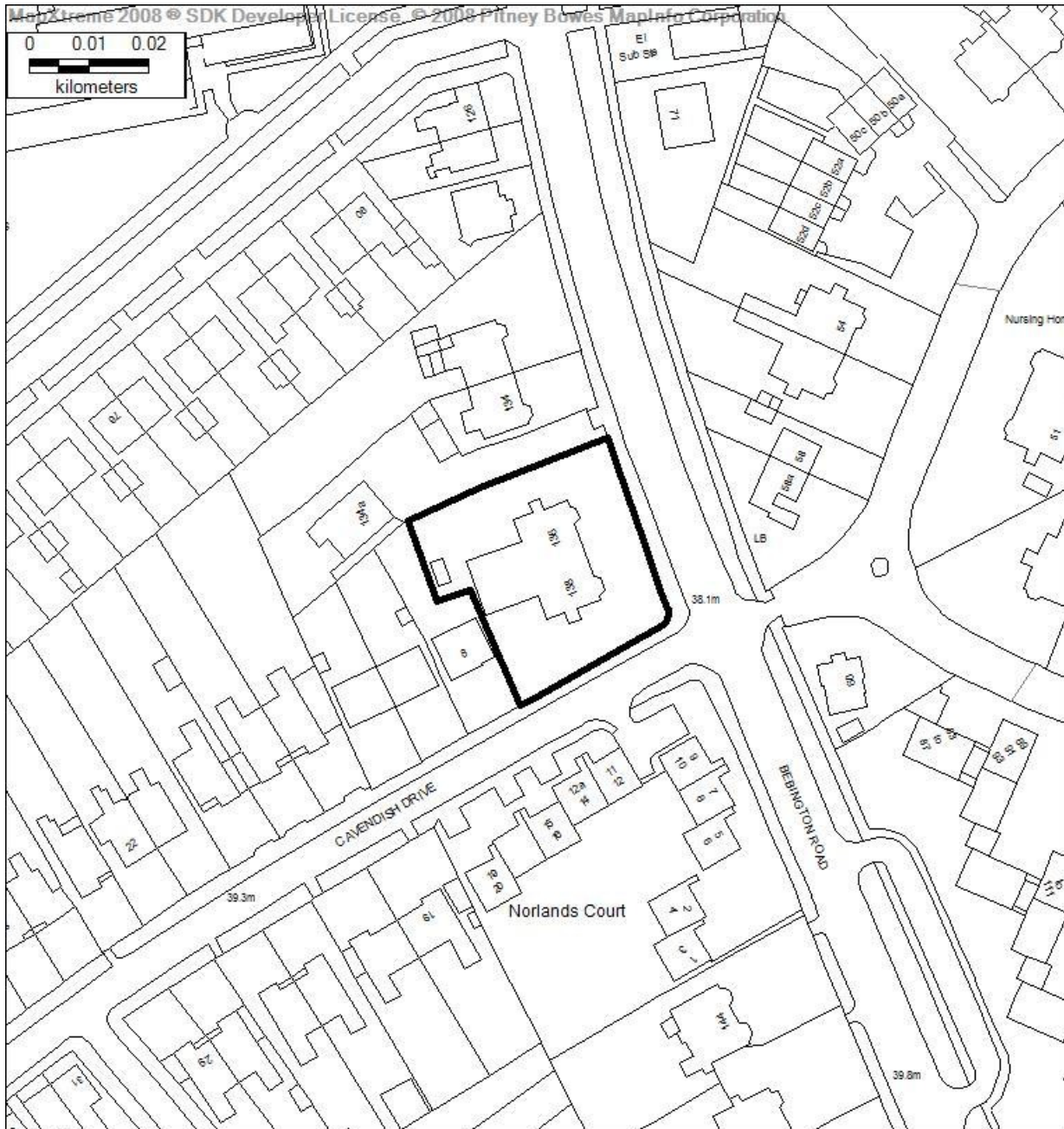
Location: Daleside Nursing Home, 136-138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB

Proposal: First floor extension to provide three bedrooms (amended proposal)

Applicant: Daleside Nursing Home

Agent : C W Jones

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

- Location: Daleside Nursing Home, 136-138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB
Application Type: Full Planning Permission
Proposal: Single storey side extension to provide four additional en-suite bedrooms
Application No: APP/12/00827
Decision Date: 31/08/2012
Decision Type: Approve
- Location: Daleside Nursing Home, 136-138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB
Application Type: Full Planning Permission
Proposal: Two storey side extension to provide eight additional en-suite bedrooms.(amended description)
Application No: APP/12/01146
Decision Date: 22/11/2012
Decision Type: Approve
- Location: Daleside Nursing Home, 136-138 BEBINGTON ROAD, ROCK FERRY, CH42 4QB.
Application Type: Full Planning Permission
Proposal: Erection of 2no. single storey office extensions.

Application No: APP/14/00945
Decision Date: 09/09/2014
Decision Type: Approve
- Location: Ashlands Nursing Home, Bebington Road, Rock Ferry. L42 4QB
Application Type: Full Planning Permission
Proposal: Construction of a single storey rear extension to provide five additional bedrooms, bathroom and laundry.
Application No: APP/94/05718
Decision Date: 29/06/1994
Decision Type: Approve
- Location: Ashlands Nursing Home, 136-138 Bebington Road, Rock Ferry, Wirral, L42 4QB
Application Type: Full Planning Permission
Proposal: Erection of a conservatory
Application No: APP/99/05065
Decision Date: 08/03/1999
Decision Type: Approve
- Location: Ashlands Nursing Home, 136-138 Bebington Road, Rock Ferry, Wirral, CH42 4QB
Application Type: Full Planning Permission
Proposal: Erection of a conservatory
Application No: APP/03/07324
Decision Date: 19/01/2004
Decision Type: Approve
- Location: 136 & 138 Bebington Road ,Rock Ferry,L62 5BJ
Application Type: Full Planning Permission
Proposal: Conversion of existing houses to Nursing Home
Application No: APP/81/19571
Decision Date: 11/02/1982
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 36 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 11 objections have been received and a qualifying petition of objection. The objections can be summarised as follows:

1. loss of privacy
2. loss of light
3. impact onto gardens
4. parking and highway safety issues
5. waste storage
6. impact on trees

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Head of Environment & Regulation (Pollution Control Division) - No Objections

Director's Comments:

This planning application was deferred for consideration at Planning Committee on 26 November 2015 to allow for a formal Member's Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Moira McLaughlin has requested that the application be taken out of delegation due to the impact of the extension on existing neighbouring properties. A qualifying petition of objection has also been received containing 48 signatures.

INTRODUCTION

The proposal is for the erection of a first floor extension to provide three additional bedrooms to an existing nursing home.

The planning application has been amended since the initial submission securing a reduction of the first floor extension from 6 bedrooms to 3 bedrooms. This reduction is shown on amended plans received by the Council on 16th October 2015.

PRINCIPLE OF DEVELOPMENT

The proposal is for an extension to an existing nursing home, the principle of development is acceptable.

SITE AND SURROUNDINGS

The existing building is a large three-storey property that is located on Bebington Road and on the corner of Cavendish Drive, the surrounding area is residential in character and there are a number of different property types although the majority are two-storey in scale.

The building has been previously extended in recent years, the proposed extension is located above an existing single storey addition to the north side. There is an access way to the north of the building which leads to a bungalow no.134a Bebington Road, this bungalow is set back on the plot, the neighbouring property no.134 has a blank side elevation facing the application site.

POLICY CONTEXT

The proposal is for an extension to an existing nursing home in a residential area and will be assessed in accordance with Wirral's UDP Policies HS4 and HS8.

Policy HS4 states; Proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:

(i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;

(ii) the proposal not resulting in a detrimental change in the character of the area;

(iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;

(iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;

(v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;

(vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and

(vii) the provision of adequate individual private or communal garden space to each dwelling.

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

Policy HS8 states; Proposals for the development of new residential care or nursing homes, or the conversion of existing buildings to provide residential care or nursing homes will be permitted, subject to the proposal fulfilling all the following criteria:

(i) the proposal being of a scale which relates well to surrounding property;

(ii) the proposal not resulting in an over-concentration of residential care or nursing homes in the area;

(iii) the proposal not resulting in a private dwelling having a residential care or nursing home on both sides; and

(iv) the proposal otherwise complying with Policy HS4 and Policy HS5.

All consents shall be given subject to a condition that they should be implemented within a three year period.

Following the growth in the number of sheltered housing schemes in Wirral in the 1980's, there has been a large increase in the number of residential care and nursing homes in the Borough, which fall within Class C2 of the Town and Country Planning (Use Classes) Order 1987. In part, this reflects the increasing numbers of very elderly people who require closer care than would be possible were they to remain in their own homes.

In addition to care homes for the elderly, with Government policies on care in the community, there will continue to be demand for specialist care homes, for example for people with learning difficulties and for those released from hospitals following treatment for mental illness and drug dependency. It is Government policy for such accommodation to be well integrated in the local community.

This, however, can cause concern where a significant number of such homes are grouped together, or proposals come forward for the conversion of small, modern dwellings.

Whilst the locational requirements for residential care homes - level sites with good access to shops, community facilities and public transport - may be similar to those for sheltered housing, the diversity in the purpose and facilities provided by homes means that some may appropriately be sited in more rural or isolated locations.

To control the concentration of residential care and nursing homes in specific areas of the Borough,

Policy HS8 places a time limit of three years on unimplemented permissions. Further guidance on sheltered housing and residential care homes is contained in Supplementary Planning Guidance Note 9.

APPEARANCE AND AMENITY ISSUES

The proposal is for a first floor extension to an existing nursing home, the extension will provide three additional bed spaces, the extension is to be built above an existing single storey extension to the north side of the original building. The proposed extension is set back from the front elevation and will when viewed from the front, be partially screened by the existing front elevation, the side elevation will be visible from the north of Bebington Road due to an existing access road leading to no.134a Bebington Road.

The proposed extension comes out from the main side elevation by 2.4m (similar to an existing flat roof extension to the side forward of the proposal) and projects outward from the original rear wall by 8m, the proposed layout of the extension includes three bedrooms which have outlook to the north, giving approximately 14m of outlook to the blank side elevation of no.134 Bebington Road, this is more substantial outlook than some of the existing bedrooms at ground floor.

The property has been extended greatly over recent years, there are numerous single storey extensions that project up to the rear boundary of the site. The proposal does not seek to introduce additional built footprint in terms of loss of land, the extension will be constructed above the existing single storey rear/side extension sited to the north of the building.

The rear elevation of the proposed extension does not contain bedroom windows, there are two windows proposed that serve a hallway which can be conditioned to be fixed and obscurely glazed in order to protect the privacy of residents to the rear.

It is considered that the extension as amended is set sufficient distance from neighbouring residential properties and will not have a dominant impact onto residential dwellings or residential amenity.

There have been concerns raised with regards to the scale of the extension, loss of privacy and parking problems at the site. The plans have been amended to reduce the scale of the extension so that the structure has less impact onto the neighbouring gardens, the reduction of the extension results in less bedroom windows and less bulk to the north side of the building. The site does provide off street parking to the front of the building accessed from Bebington Road and there is also on street parking available within the area, junctions are protected by double yellow lines such as Cavendish Drive.

The proposed extension will not result in loss of parking or garden space as the extension is to be built above an existing single storey element, the extension has been reduced in depth with alterations that will result in less impact than the initial development.

The reduction of the extension as shown on the amended plans, reduces the bulk of the extension and the number of windows that will serve the extension, it is considered that the proposal will not have a detrimental impact onto the character and appearance of the area or the neighbouring properties.

SEPARATION DISTANCES

The proposal includes three new windows to the side elevation of the extension these windows look to the north and the blank side gable of no 134 Bebington Road, they also will have visibility over the access road to no 134a Bebington Road and restricted views to the front garden, although there is no direct window to window overlooking.

The rear of the extension includes two hallway windows, these windows are not to habitable rooms, so as to reduce any additional feeling of overlooking it is advised that these two windows are fixed and obscurely glazed up to 1.7m in height.

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 scale of the extension as amended is considered to be appropriate in relation to the existing building, the neighbouring properties and Wirral's UDP Policies HS4 and HS8.

Summary of Decision:

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

The scale of the extension as amended is considered to be appropriate in relation to the existing building, the neighbouring properties and Wirral's UDP Policies HS4 and HS8.

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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 16 October 2015 and listed as follows: 2889/2 A.

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

3. On insertion the windows hereby approved at first floor to the west and south facing elevations shall be fitted with fixed and obscure glazing up to a height of 1.7m from the finished first floor internal floor level and shall be permanently retained in that condition thereafter.

Reason: Having regard to residential amenity

Last Comments By: 30/10/2015 12:12:09

Expiry Date: 15/10/2015

Agenda Item 8

Planning Committee

17 December 2015

Reference:
APP/15/01174

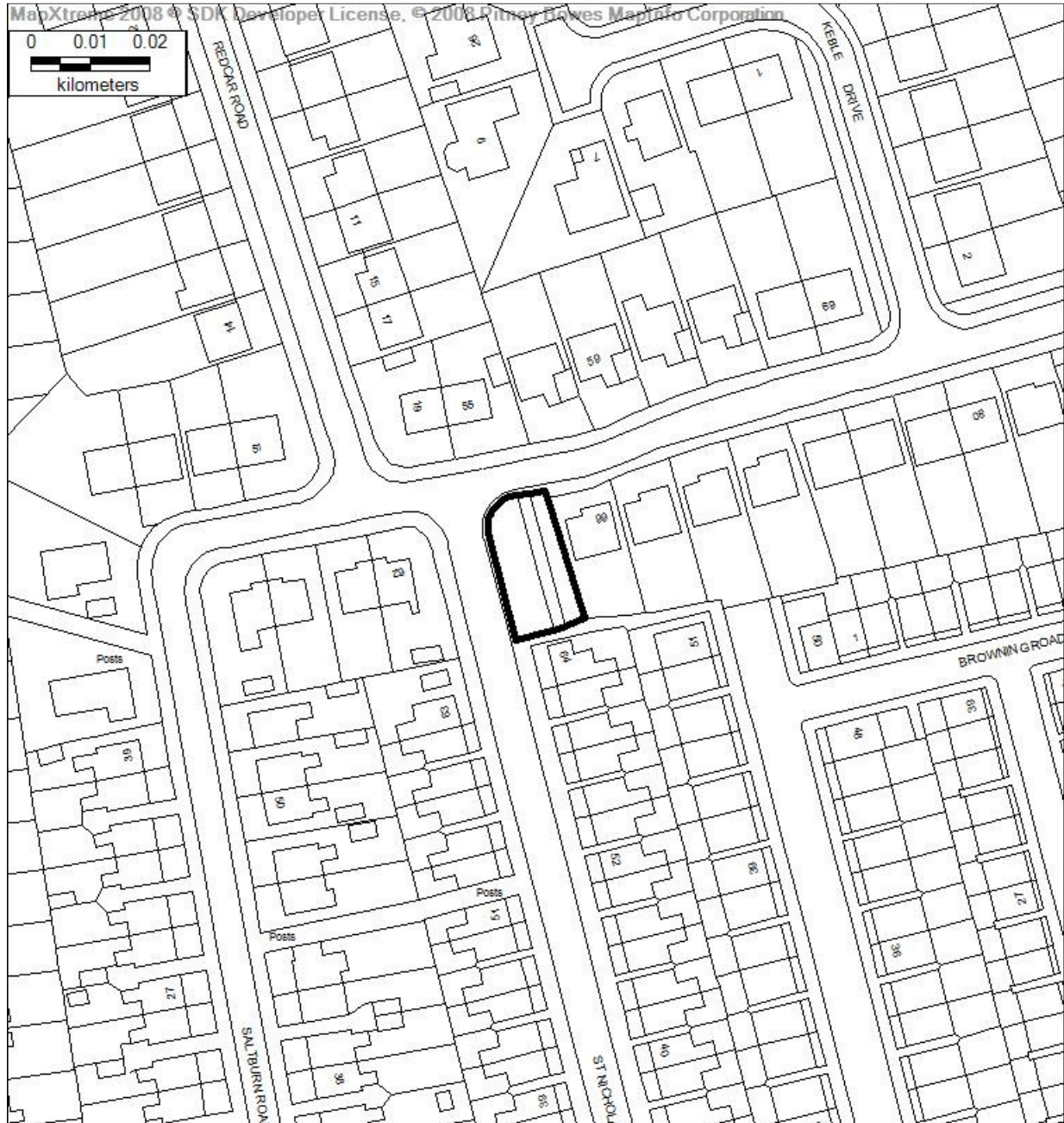
Area Team:
North Team

Case Officer:
Mr P Howson

Ward:
Wallasey

Location: Amenity Open Space, ST NICHOLAS ROAD, WALLASEY VILLAGE
Proposal: Change of Use to Residential Garden
Applicant: Mr Nick Small
Agent : N/A

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan designation and policies:
Primarily Residential Area

Planning History:

Location: Park land on the corner of Saltburn Road and St. Nicholas Road, Wallasey Village, CH45 8NQ
Application Type: Full Planning Permission
Proposal: Erection of an electricity sub-station.
Application No: APP/78/09063
Decision Date: 13/03/1978
Decision Type: Refuse

Location: Land adjacent 66 Saltburn Road and 64 St Nicholas' Road, Wallasey Village, Wirral, CH45 8JL
Application Type: Work for Council by Council
Proposal: Erection of a 2m. high fence.
Application No: APP/02/05271
Decision Date: 08/04/2002
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 5 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing, 23 letters of representation have been received; 9 in favour and 13 against the proposal. A qualifying petition of objection has also been received objection to the proposals. The objections can be summarised as follows:

1. Loss of community amenity
2. Detrimental to the character of the area
3. Insufficient public notice

CONSULTATIONS

Head of Environment & Regulation (Traffic and Transportation Division) No objections

Director's Comments:

This planning application was deferred for consideration at Planning Committee on 26 November 2015 to allow for a formal Member's Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Leah Fraser objects to the application and would like the application to be determined by the Planning Committee and has asked for the application to be taken out of delegation on the grounds that there is no evidence to substantiate the assertion put forward with the application that the area has been the subject of anti-social behaviour and the area is open and visible. If the area becomes a private garden, enclosed by fencing, then the entry way that runs along the bottom of the site from St Nicholas Road to Malvern Road would result in a tunnel effect, hidden from view that could give rise to anti-social behaviour.

In addition, a qualifying petition of objection signed by 26 people has been received.

INTRODUCTION

This application is for the change of use of land directly adjacent to No. 66 Saltburn Road to a domestic garden and the subsequent erection of a brick wall around the site. The site in question would form part of curtilage of No. 66 Saltburn Road.

Over the course of this application amended plans were requested addressing concerns over visual amenity and the character of the area. Amended plans were received and the issues subsequently resolved.

PRINCIPLE OF DEVELOPMENT

The application is for the change of use of a grassed and tree planted area of open space to a domestic garden within a Primarily Residential Area. The site is not identified for protection as Urban Greenspace or for recreation under Sections 8 and 9 of the Unitary Development Plan. The proposal could be considered acceptable in principle, subject to UDP Policies HS4, GR5 and GR7. However, more recent national planning policy provides protection for existing open space, which is reflected in the emerging Core Strategy.

SITE AND SURROUNDINGS

The land in question comprises of a grassed area which occupies the corner of St Nicholas Road and Saltburn Road. The development site is currently inaccessible to the public and there are railings and locked gate around the curtilage of the site. Five trees exist within the site which do not benefit from any formal protected status.

Saltburn Road is comprised of detached and semi-detached residential dwellings with clear distinctions between architectural style along the southern and northern axis of the street. A number of trees are sited at irregular intervals at the junction with St Nicholas lending an intimate sense of enclosure. St Nicholas Road is comprised of two storey residential dwellings constructed within close proximity of one another of uniform architectural style. The playing fields associated with Wallasey Rugby Club, Harrison Park and playing fields parallel to Leasowe Road are all within a reasonable distance of the site in question.

POLICY CONTEXT

The area is not formally designated as Urban Greenspace in the Unitary Development Plan, however, the planning application should be assessed for compliance with UDP Policies HS4 'Criteria for New Housing Development', GR5 'Landscaping and New Development' and UDP Policy GR7 'Trees & New Development' which seek to ensure proposals are compatible with the character of the area and secure protection and enhancement of visual amenity.. This application should also be considered against the National Planning Policy Framework (NPPF), which is a significant material consideration. NPPF paragraph 74 indicates that existing open space should not be built on unless an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements or the loss resulting from proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The protection of recreational land would also be supported by Policy CS31 in the Core Strategy Proposed Submission Draft, which has been approved as material consideration by the Council for use in determining planning applications.

APPEARANCE AND AMENITY ISSUES

The land was at one time open to the public but has been fenced off over the past 10 years with railings and locked gates to prevent antisocial behaviour. Whilst not currently accessible to the public, the site has value as visual amenity open space. It is considered that the principal issue in this case is whether the amenity land to be incorporated into the garden of the adjacent house is land that should be retained to preserve the visual amenity of the overall area and/or a useful facility which has positive benefit for nearby residents.

The application seeks approval for the erection of a part low rise wall, no more than 1 metre in height, along the northern axis of the site in question and a 1.9 metre high brick wall with timber panel inserts along the south/south-west axis of the site.

In respects of the visual amenities of the area and/or the potential for the area to be used for play or sitting out, it should be noted that the site is currently inaccessible to the public and has been for a number of years as it is surrounded by railings with a locked gate. As such, the site currently affords no useful facility for play or sitting out for nearby residents. There is no other public open space within the Council's standard of 400 metres walking distance of the site (UDP paragraphs 8.7 to 8.11 refer). residents. The fields at Wallasey Rugby Club (600 metres), Harrison Park (1,000 metres) and the playing fields along Leasowe Road (1,000 metres) are the closest accessible and available amenity and open spaces for the wider community.

The application proposes to enclose the site with a low rise wall and timber fence which would be no more than 1.8 metres in height. As such the proposal is not considered to result in any loss of

recreational amenity to neighbouring uses whilst the boundary treatment is not considered to result in a significant impact on this part the street to warrant refusal in this instance.

Other Matters

Over the course of this application a qualifying petition and 23 letters of representation were received, 9 of which were in favour and 13 against, summary of comments;

- a) Loss of community amenity
- b) Detrimental to the character of the area
- c) Insufficient public notice

The site in question is currently inaccessible to the public and has been for a number of years. Furthermore the development site is not designated as a site to be retained for recreational use under the provisions of the Wirral UDP. Residential uses within Primarily Residential Areas are acceptable in principle under the provisions of the UDP as such the erection of a part low rise wall and fencing along the curtilage and the sites use as residential garden is not considered to result in significant detrimental change to the character of the area. A site notice was affixed to the northern perimeter and five notifications were sent out to properties within close proximity to the development site.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The Environmental/Sustainability issues relate to the impact on the character and visual amenity of the area from this proposal.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed change of use and subsequent boundary treatment is considered acceptable in principle and will not have a significant adverse impact upon the street scene or character and appearance of the area or the recreational or visual amenity of the neighbouring properties. On balance, the application is considered to be acceptable.

Summary of Decision:

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

The proposed change of use and subsequent boundary treatment is considered acceptable and will not have a significant adverse impact upon the street scene or character and appearance of the area or the recreational or visual amenity of the neighbouring properties.

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 permitted shall be carried out in accordance with the approved plans received by the local planning authority on 29 October 2015 and listed as follows:
EL1/PL1 Proposed Boundary Wall Treatment and Location Plan LP1

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no garages, outbuildings or enclosure shall be constructed within the applications site without the prior written approval of the Local Planning Authority.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policies HS4 & GR5 of the Wirral Unitary Development Plan.

4. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policies HS4 & GR5 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 06/10/2015 15:39:31

Expiry Date: 30/10/2015

Planning Committee

17 December 2015

Reference:
APP/15/01242

Area Team:
North Team

Case Officer:
Miss A McDougall

Ward:
Claughton

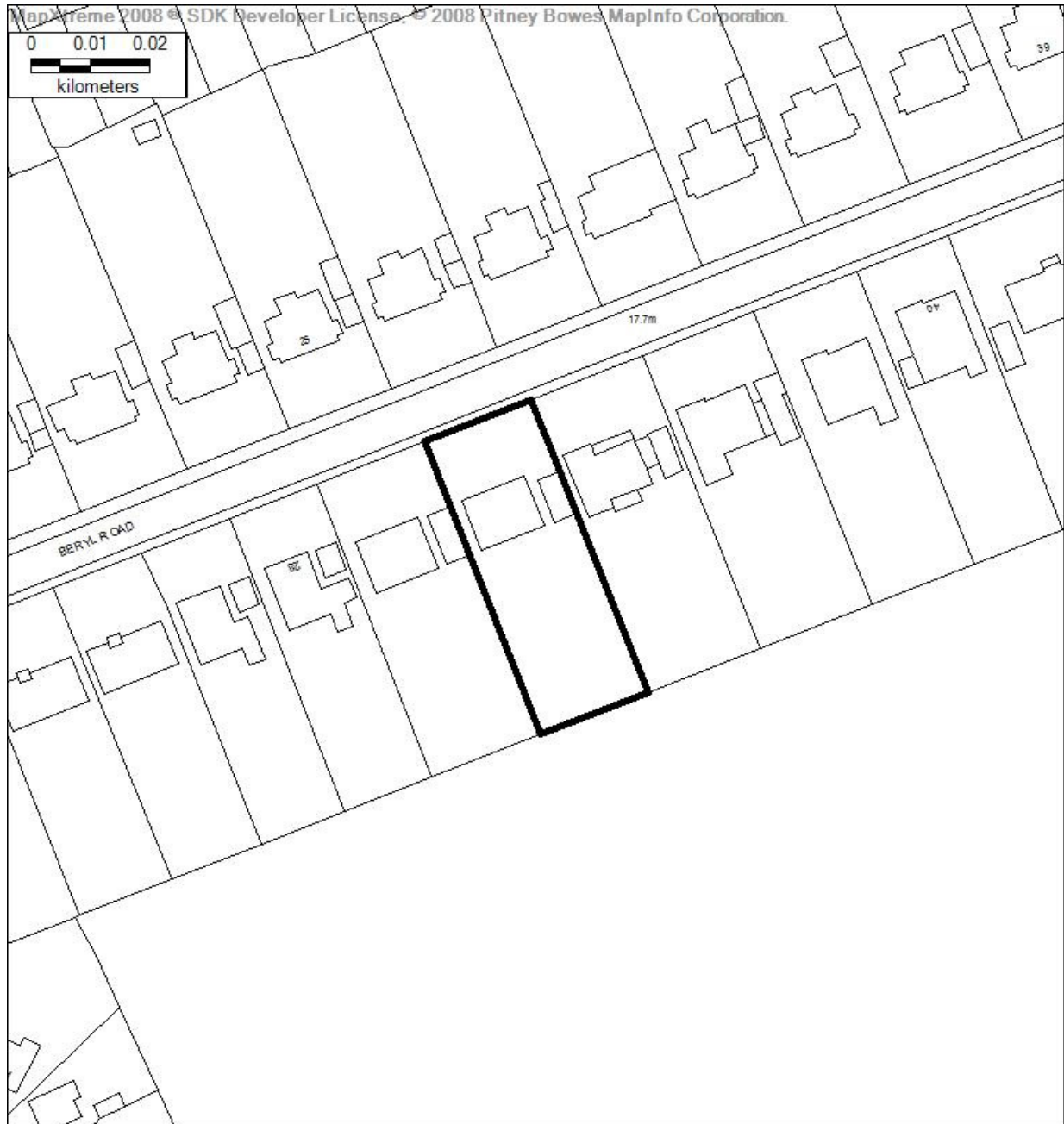
Location: 32 BERYL ROAD, NOCTORUM, CH43 9RT

Proposal: Retrospective consent for a front boundary wall with proposed external visual changes

Applicant: Mr Thomas Parry

Agent: N/A

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

School Playing Field
Primarily Residential Area

Planning History:

Location: 32 BERYL ROAD, NOCTORUM, CH43 9RT
Application Type: Full Planning Permission
Proposal: Retrospective application of a front boundary wall
Application No: APP/14/01517
Decision Date: 02/03/2015
Decision Type: Refuse

Summary Of Representations and Consultations Received:REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 6 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report, a petition of objection has been received and three letters of objection, listing the following grounds:

1. obtrusive
2. detract from appearance of the road
3. concern about the plans

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

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

A petition of objection signed by 25 signatures has been received on the grounds that the wall is obtrusive, out of character and detracts from the appearance of the road.

INTRODUCTION

The proposal is part retrospective for a boundary wall and alterations to its appearance. The wall is located along the front boundary of the dwelling and exceeds 1m in height, a previous application 14/01517 was refused consent due to the visual impact of the wall onto the streetscene. The applicant has now resubmitted with changes to the elevation to visually reduce the impact of the wall on the highway.

PRINCIPLE OF DEVELOPMENT

The principle of erecting a boundary wall to a residential property is acceptable.

SITE AND SURROUNDINGS

The application site is located within a busy residential road that contains large detached residential properties, there is a mix of boundary treatment as shown on site photographs and no uniformity to front boundary styles or heights. The predominant feature is walls, some are rendered and others brick with fencing or railings above. The boundary wall in question is brick facing onto the roadway and brick and render panels facing into the property, the elevation that faces into the property is much more sympathetic visually than the roadway elevation. Due to this the applicant has been advised to reduce the impact of the wall facing out onto the road.

POLICY CONTEXT

The proposal is for an alteration/extension to a dwelling and as such will be assessed in accordance with Wirral's UDP Policy HS11 which states; Proposals for house extensions will be permitted subject to:

- (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;

House extensions should be designed in such a way as to have no significantly adverse effect on the appearance of the original property, the amenities of neighbouring properties, particularly through overlooking, or an adverse effect on the area in general.

APPEARANCE AND AMENITY ISSUES

The existing wall that has been built has a height up to 2m and with the inclusion of the gate runs the width of the front of the plot, when viewed from the highway the wall has a blank brick appearance and is constructed as one block form, there is no visual break to soften the impact of the wall.

The immediate area is a mix of boundary treatments, including a mix of wall heights, there are existing boundary treatments with similar heights to the application site. Whilst the general impact of the height of the wall is a characteristic of the area, the block formation is not, the existing wall is oppressive visually and stands out in comparison to neighbouring properties.

The proposal is to break the blank elevation of the wall by introducing rendered panels, this would result in a similar appearance to the other side of the wall and would also reflect the interrupted design of existing walls in the area that contain high brick pillars with fence/railing panels in between.

The neighbouring taller boundaries are designed in a way that the visual impact is broken up by intermitting fence panels, hedges or railings. Whilst there is little uniformity within the street scene in terms of boundary treatments marrying up to one another, the front boundaries of these plots are not imposing on the street scene, it is considered that the alterations to the wall would soften the appearance and break up the expanse of brick work.

The proposed rendered panels will create an optical illusion that breaks the mass of the wall up, this would create a more balanced relationship with the street scene and would have a similar impact to existing high walls in the area.

Having regard to the variety of boundary treatment in the area, the amendments to the design to include render panels will create a visual optical illusion that will reduce the impact of the wall and will result in a feature more appropriate to the character of the streetscene.

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 proposed rendered panels will reduce the visual mass of brick work which will in turn soften the appearance of the wall within the streetscene. It is therefore considered that the proposed amendments to the wall will result in an acceptable development having regard to Wirral's UDP Policy HS11.

Summary of Decision:

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

The proposed rendered panels will reduce the visual mass of brick work which will in turn soften the

appearance of the wall within the streetscene. Its is therefore considered that the proposed amendments to the wall will result in an acceptable development having regard to Wirral's UDP Policy HS11.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The wall as shown to include the rendered panels in materials agreed by the Local Planning Authority shall be constructed and completed within three months from the date of decision and retained as such thereafter.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 12 November 2015.

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

3. Before any construction commences, a sample of the colour and finish materials to be used in the external construction of the wall 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 HS11 of the Wirral Unitary Development Plan.

Last Comments By: 13/10/2015 10:21:20
Expiry Date: 02/11/2015

Planning Committee

17 December 2015

Reference:
APP/15/01261

Area Team:
North Team

Case Officer:
Mrs S Day

Ward:
**Greasby Frankby
and Irby**

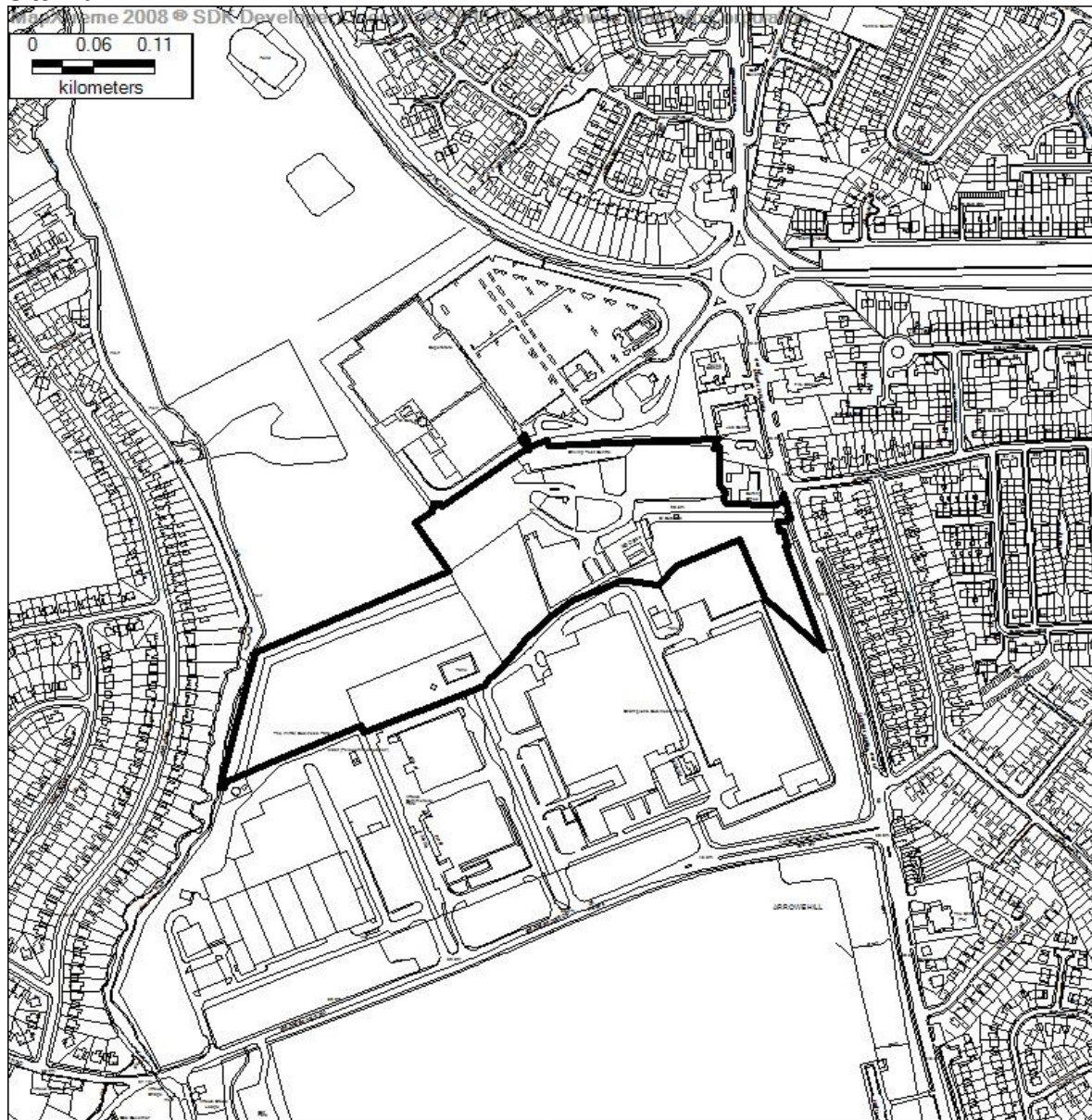
Location:
Proposal:

Land off ARROWE PARK ROAD, UPTON, CH49 0UE
Residential-led mixed use development comprising the demolition of the existing RFCA Buildings and erection of a new purpose built RFCA facility (Use Class D1) together with a residential development (Use Class C3) with associated landscaping, open space provision together with pedestrian linkages and associated car parking; access arrangements off Arrove Park Road and the construction of a new uncontrolled pedestrian crossing on Arrove Park Road.

Applicant:
Agent :

THI TAG Upton Regeneration Limited & Stewart Milne Homes NW
Stewart Milne Homes NW

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Industrial Area
Primarily Residential Area
Urban Greenspace
Employment Development Site
Out of Centre Retail Development

Planning History:

Location: ATC Squadron, Arrowe Park Road, Upton. L49 0UE

Application Type: Circular 18/84

Proposal: Erection of a 2.4m. high palisade fence.

Application No: GOV/93/06708

Decision Date: 12/01/1994

Decision Type: Approve

Location: Champion Spark Plug Co., Arrowebrook Road, Upton. L49 1SX

Application Type: Full Planning Permission

Proposal: Close existing exit, provide new exit and install new windows.

Application No: APP/87/05053

Decision Date: 27/03/1987

Decision Type: Approve

Location: The Wirral Business Park, Arrowe Brook Road, Upton. L49 1SX

Application Type: Full Planning Permission

Proposal: Extension to existing warehouse and distribution centre, ancillary offices, new car park and access road.

Application No: APP/95/06119

Decision Date: 18/10/1995

Decision Type: Approve

Location: Micropore Insulation, 1, Arrowe Brook Road, Upton. L49 1SX

Application Type: Full Planning Permission

Proposal: Erection of a single storey extension for canteen.

Application No: APP/90/05154

Decision Date: 22/03/1990

Decision Type: Approve

Location: Micropore Insulation, 1, Arrowe Brook Road, Upton. L49 1SX

Application Type: Full Planning Permission

Proposal: Erection of a first floor extension to offices and an external fire escape.

Application No: APP/90/06569

Decision Date: 10/09/1990

Decision Type: Approve

Location: Micropore Insulation, 1, Arrowe Brook Road, Upton. L49 1SX

Application Type: Full Planning Permission

Proposal: Erection of a first floor extension.

Application No: APP/93/06023

Decision Date: 03/09/1993

Decision Type: Approve

Location: Ryder Systemline, Wirral Business Park, Arrowe Brook Road, Upton. L49

Application Type: Full Planning Permission

Proposal: Extension of access road.

Application No: APP/96/05923

Decision Date: 26/07/1996

Decision Type: Approve

Location: Simon V.K Factory, Arrowe Brook Road, Upton. L49 1SX

Application Type: Work for Council by Council

Proposal: Change of use from factory to central office and depot for works department, Wirral Borough Council.
 Application No: APP/87/05315
 Decision Date: 14/10/1987
 Decision Type: Approve

Location: Unit 2, Wirral Business Park, Arrowe Brook Road, Upton. L49 1SX
 Application Type: Full Planning Permission
 Proposal: Change of use from light industrial to warehousing and distribution.
 Application No: APP/89/06549
 Decision Date: 13/09/1989
 Decision Type: Approve

Location: Champions Business Park, Arrowe Brook Road, Upton, Wirral, CH49 0UQ
 Application Type: Advertisement Consent
 Proposal: Erection of non illuminated totem poles directory sign
 Application No: ADV/09/05484
 Decision Date: 19/06/2009
 Decision Type: Approve

Location: Champions Business Park, ARROWE BROOK ROAD, UPTON
 Application Type: Full Planning Permission
 Proposal: Retention of the former Champion Spark Plugs site for mixed business, industrial, recording studio and distribution purposes (with trade counter) (Use Classes B1, B2 and B8), and caravan storage (sui generis).
 Application No: APP/11/00461
 Decision Date: 25/05/2012
 Decision Type: Approve

Location: Land south of Police Station, Arrowe Park Road, Upton. L49 0UE
 Application Type: Circular 18/84
 Proposal: Erection of office building for use as unemployment benefit office and job centre, (outline).
 Application No: GOV/91/05271
 Decision Date: 14/03/1991
 Decision Type: Approve

Location: Land to south of (adjacent) Police Station, Arrowe Park Road, Upton. L49 0UE
 Application Type: Circular 18/84
 Proposal: Erection of an office building for use as an unemployment benefit office and job centre.
 Application No: GOV/92/06093
 Decision Date: 11/09/1992
 Decision Type: Approve

Location: Vacant Factory, 1 Arrowe Brook Road, Upton, Wirral, CH49 1SX
 Application Type: Full Planning Permission
 Proposal: Recladding of elevations, new openings and infrastructure
 Application No: APP/07/07011
 Decision Date: 05/12/2007
 Decision Type: Approve

Location: Vacant Factory, 1 Arrowe Brook Road, Upton, Wirral, CH49 1SX
 Application Type: Full Planning Permission
 Proposal: Demolition of existing single storey structures and recladding of elevations to form additional openings
 Application No: APP/07/07206
 Decision Date: 10/01/2008
 Decision Type: Approve

Location: BT Engineering Depot to south of (adjacent) Sainsburys, Arrowse Park Road, Upton.
Application Type: Outline Planning Permission
Proposal: Proposed non-food retail development, car parking and associated works. (Outline).
Application No: OUT/96/05213
Decision Date: 26/07/1996
Decision Type: Refuse

Location: Simon Factory, Arrowse Brook Road, Upton, L49 1SX
Application Type: Full Planning Permission
Proposal: Change of use from factory to multi-purpose Leisure/Exhibition Centre.
Application No: APP/83/23429
Decision Date: 09/01/1985
Decision Type: Refuse

Location: Former Simon VK Factory, Arrowse Brook Road, Upton. L49 1SX
Application Type: Full Planning Permission
Proposal: Change of use from former factory building to warehouse.
Application No: APP/87/06229
Decision Date: 23/05/1988
Decision Type: Withdrawn

Location: Champion Spark Plug, Arrowse Brook Road, Upton. L49 1SX
Application Type: Full Planning Permission
Proposal: Erection of a warehouse.
Application No: APP/89/05082
Decision Date: 20/02/1989
Decision Type: Withdrawn

Location: Champions Business Park, Arrowse Brook Road, Upton, Wirral, CH49 0UQ
Application Type: Advertisement Consent
Proposal: Erection of directory sign
Application No: ADV/09/05140
Decision Date: 06/04/2009
Decision Type: Withdrawn

Location: Champions Business Park, Arrowse Brook Road, Upton, Wirral, CH49 0UQ
Application Type: Full Planning Permission
Proposal: Retention of former Champion Spark Plugs site for mixed business, industrial, recording studio, storage and distribution purposes (Use Classes B1, B2 & B8); retail (Use Class A1); fitness centre and gym (Use Class D2); retail warehouse
Application No: APP/08/06828
Decision Date: 07/12/2010
Decision Type: Withdrawn

Location: Land between Greasby Road and Arrowse Park Road and east of Brookdale Avenue North and South, Upton, L49 3
Application Type: Deemed
Proposal: Development of land as a Science Park
Application No: DPP/81/18385
Decision Date: 06/07/1981
Decision Type: Conditional Approval

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council's Guidance for Publicity of Applications, letters were sent to 104 neighbouring properties and a Site Notice displayed on site. Letters of objection and representation have been received from; 109 and 155 Brookdale Avenue South and 16 Frankby Grove. The reasons for objection relate to:

1. Arrowe Park Road is already busy and proposals may increase problems
 2. Development is too large
 3. Not enough people were notified of the proposal
 4. Development will increase noise and traffic congestion
 5. Concern over access to adjacent woodland and impact on wildlife
 6. Development will adversely affect house prices in Brookdale Avenue South
- Foul and surface water drainage must be drained to a separate system

CONSULTATIONS:

Head of Environment & Regulation (Pollution Control Division) - No objection subject to conditions relating to acoustic fencing

Head of Environment & Regulation (Traffic & Transportation Division) - No objection

United Utilities - No objection

Environment Agency- No objection

Woodland Trust - Object to the lack of consultation of the proposals and its potential impact on the SBI due to increased access from the public and proximity of new dwellings. Buffer required between the development and site and no access to SBI from development.

Wirral Wildlife - Proposal will put pressure on wood from increased access, conditions required relating to lighting to minimise impact on bats and tree protection.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is a major development of over 50 residential units and is a departure from the adopted local plan. As such, under the current scheme of delegation, the proposal must be determined by Planning Committee

INTRODUCTION

The proposals are for a mixed use development. The majority of the proposals relates to the erection of new houses and flats. However the proposals also include the relocation of the existing cadets building which sits within the site, to the eastern edge of the site. The development includes areas of public open space within the site and pedestrian links to the existing public open space to the north and west of the site. The entrance to the site uses the existing vehicular access from Arrowe Park Road and includes a new pedestrian refuge and white lining to Arrowe Park Road.

PRINCIPLE OF DEVELOPMENT

Part of the site to the rear, adjacent to Arrowe Brook, is allocated as an Employment Development Site, and the remainder of the site fronting Arrowe Park Road is designated as a Primarily Industrial Area in the Unitary Development Plan. As there is no provision for residential development within Use Class C3 under UDP Proposal EM4 and UDP Policy EM8 and housing is not permitted on land allocated for employment purposes under UDP Policy EM9; the application is a departure from the statutory Development Plan.

SITE AND SURROUNDINGS

The application site comprises some 6.6 hectare of cleared land which has previously been used for industrial and commercial purposes. Within the site to the southern boundary is an existing single storey Cadet training building which is still in use. To the north of the site is the retail site which contains Sainsbury, Homebase, Argos and McDonalds. Adjacent to this along the northern boundary is the public open space and Site of Biological Importance of Upton Meadows. The southern edge of the site abuts Champions Business park which contains a mix of commercial and industrial uses. The western end of the site is currently treed and runs down towards the Arrowe Brook. The opposite side of Arrowe

Park road to the east of the site is residential.

The frontage to the site along Arrowe Park Road is well landscaped with mature trees and shrubs which limit views into the site.

POLICY CONTEXT

The statutory development plan consists of the Wirral Unitary Development Plan (UDP adopted February 2000 and saved by Direction of the Secretary State on 18 September 2007) and the Joint Waste Local Plan (adopted 18 July 2013).

UDP Policies relevant to this application include:

Policy URN1	Development and Urban Regeneration
Policy EM4	Expansion Land for Existing Businesses
Policy EM6	Criteria for New Employment Development
Policy EM7	Environmental Criteria for New Employment Development
Policy EM8	Development within Primarily Industrial Areas
Policy EM9	Non-Employment Uses in Industrial Areas
Policy HS4	Criteria for New Housing Development
Policy HSG2	Affordable Housing
Policy GR5	Landscaping and New Development
Policy GR6	Greenspace Within New Family Housing Development
Policy NC01	Principles for Nature Conservation
Policy NC5	Protection of Sites of Local Importance for Nature Conservation
Policy NC7	Species Protection
Policy TRT3	Transport and the Environment
Policy TR8	Criteria for the Design of Highway Schemes
Policy TRT1	Provision for Public Transport
Policy TRT3	Transport and the Environment
Policy TR8	Criteria for the Design of Highway Schemes
Policy TR9	Requirements for Off-Street Parking
Policy TR11	Provision for Cyclists in Highway and Development Schemes
Policy WA2	Development and Land Drainage
Policy WA5	Protecting Surface Waters
Policy PO4	Noise Sensitive Development

Supplementary Planning Documents include:

SPD2	Designing for Self Contained Flat Development and Conversions
SPD4	Parking Standards
SPG42	Providing for Cyclists

Relevant Policies in the Joint Waste Local Plan (adopted 18 July 2013) include:

Policy WM8 - Waste Prevention and Resource Management
Policy WM 9 - Sustainable Waste Management Design and Layout for New Development,

Housing development is proposed on land which is identified as an Employment Development Site and part of a Primarily Industrial Area on the Unitary Development Plan (UDP) Proposals Map. Strategic UDP Policy URN1 seeks to ensure full and effective use of land is made within urban areas. UDP Proposal EM4 and Policy EM8 make provision for uses within Use Classes B1, B2 and B8 and proposals for the reconstruction, extension or expansion of existing business. Policy EM9 indicates that proposals for retail or housing uses on land allocated for employment purposes will not be permitted. Thus the proposal for residential development is a departure from the UDP and has been advertised as such.

Section 38 of the Planning and Compulsory Purchase Act 2004 states that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

The National Planning Policy Framework (NPPF) became a material planning consideration on 27th

March 2012. This indicates that the purpose of the planning system is to contribute to the achievement of sustainable development and that paragraphs 18 to 219 taken a whole constitute the Governments view of what this means in practice for the planning system.

The Council has also resolved that the Core Strategy Local Plan - Proposed Submission Draft (December 2012) and its supporting documents including the Wirral Employment Land and Premises Study Update (BE Group, 2012) and the Wirral Strategic Housing Land Availability Assessment Update 2012 (Wirral Council and A.P.Sheehan 2012) will be material considerations for the purpose of determining planning applications.

The Council published a series of initial proposed modifications to the Proposed Submission Draft in July 2013, which should also be considered, although these have not yet been confirmed as Council policy. Weight can be given according to its stage of preparation, the significance of unresolved objections and the degree of consistency with NPPF.

The need for residential development set against the need for industrial development, potential impacts on the character of the area and compatibility with neighbouring uses, nature conservation, and any other benefits that might be accrued in context with the National Planning Policy Framework (NPPF) and the emerging Core Strategy Local Plan are the principal material considerations in this particular case.

APPEARANCE AND AMENITY ISSUES

The residential element of the proposal consists of the erection of 143 houses and 37 apartments. The housing ranges from 2 to 4bed plus units which are two and three storey and include terraced, semi-detached and detached units. The flats are houses in three, 3 storey buildings which are spread throughout the development. The development has one access from Arrowe Park Road which serves a largely linear development which branches into a series of four cul-de-sacs. The flats are used as focal points throughout the site to add interest to the townscape. All houses have off street parking, some as parking spaces and some as garages. This variety in house type and detail adds interest to the development.

The flat developments have limited amenity space, although this has increased since the original submission. It is considered that the proposed amenity space for the flats, together with proposed and existing amenity space within and around the development is satisfactory.

The built development is punctuated by the three areas of public open space contained in the development. The first is as the entrance to the site , where the existing landscaped area to the south east is retained and enhanced. The second is more central to the site and forms a green which houses look onto. The western end of the site retains the wooded area which takes the site down to the Arrowe Brook and existing footpaths. In addition to open space within the development, the proposals include two access points to the north of the site to the existing Upton Meadows. The Woodland trust have objected to this aspect of the proposals, expressing concern about the potential impact on the ecology of the site due to increased activity from people and domestic animals. AS this land is already accessible to the public it is not considered that this alone is a sustainable objection. The development has been designed so that gardens, mainly overlook the adjacent site rather than back onto it and the access pints are through small landscaped buffers.

The proposals also include the relocation of the existing Cadets building. This is currently located within the site and it is proposed that it is relocated at the entrance to the site on the northern side of the entrance road. The proposed building is a simple brick built, single storey building with its own parking area. The proposals will provide a modern facility which would be located more appropriately at the edge of the development.

The site is allocated for employment and industrial purposes and is located between an out of centre retail development to the north and industrial land to the south. Both neighbouring uses are active and result in the potential for noise and disturbance to the proposed residential use. The development includes tree planting along and acoustic fencing which will mitigate for any potential noise and safeguard the existing commercial and industrial uses.

The proposals would continue to use the existing access onto Arrowe Park Road. The existing access would be improved to formalise the priority junction. This would result in 10m junction radii on both sides of the access and an access road to adoptable standard. In addition an uncontrolled pedestrian

crossing in the form of a pedestrian refuge and dropped kerbs is to be provided on Arrowe Park Road south of the access junction. There are also proposed pedestrian links to the site from the adjacent Sainsbury site.

Employment Land

Notwithstanding the appearance and impact of the proposals on surrounding uses, the fundamental issue of the sites allocation for industrial and employment uses must be assessed and balanced against the benefits of the proposal in terms of the provision of housing.

In terms of building a strong competitive economy the Government requires the planning system to do all that it can to support sustainable economic growth, and recognise that businesses should not have unreasonable restrictions put on them because of changes in nearby land use, but expects planning policies to avoid long term protection of employment premises where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect, applications for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities (NPPF paragraphs 18-22 & 123 refer).

Although UDP Proposal EM4 and Policy EM8 only makes provision for industrial uses within Use Classes B1, B2 and B8, draft Core Strategy Policy CS17, as amended following representations, proposes in line with national policy to continue to safeguard designated employment areas, with provision for compatible alternative uses where:

- i. the site is not suitable for one of the priority sectors; and
- ii. there has been 12 months continuous marketing of the site for employment purposes at realistic prices and there is no reasonable prospect of the site being re-used for employment purposes;
- iii. an ongoing supply of available, suitable, developable employment land would be retained; and
- iv. the uses are compatible with the character of the surrounding area, would not restrict operation of other employment uses, contribute to more sustainable patterns of development and meet Development Management Policy CS42; and
- v. additional housing is needed to demonstrate a 5 year supply of housing land; or
- vi. the development is necessary to secure employment development that would not be otherwise viable.

Priority is to be given to protecting high scoring sites capable of providing employment and training for people in areas of greatest need. The application site received comparatively high marks in an assessment through the Council's Employment Land and Premises Study on the attractiveness of 115 sites to developers in relation to proximity to the M53, prominence, public transport, planning status, services availability, population density, constraints, environmental setting, flexibility and availability. The allocated employment land scored 34 (out of 50) under market led criteria with a total score of 72 (out of 100). Land at the former BT Depot received a market led score of 22 (out of 50) and a total score of 54 (out of 100).

One of the main priorities for the Settlement Area in draft Policy CS8 is to maximise the economic contribution of the industrial complexes at Leasowe, Moreton and Upton for food, bio-medical, advanced manufacturing and small and medium scale business activities to maintain accessible local employment opportunities. Policy CS8 is subject to representations, received during consultation, that Champions Business Park adjacent to the application site was highly unlikely to meet the requirements of the industries specified and that focusing on B1, B2 and B8 uses would undermine the wider potential of the area to attract other business activities, generate employment and contribute towards the revitalisation of the economy.

The Council's Employment Land and Premises Study has found that there is a serious shortage of immediately available, serviced, developable employment land with utilities and road access already in place and found that a large proportion of the existing potential supply was being considered for alternative uses, which could seriously affect the Borough's ability to maintain a credible future supply of employment land. The site at Upton also represents one of the very few possibilities to provide new employment development for the communities to the west of the M53 Motorway and due to the paucity of supply; the Study recommended that all existing employment land in West Wirral should be retained. A search on the Wirral Tractivity Database showed there no currently available industrial or office premises available in the Upton area.

The national Indices of Multiple Deprivation indicates that the residential area at Woodchurch is amongst the most deprived in England.

The Council's Annual Monitoring Report also shows that the ratio of total jobs to the working-age population in Wirral (job density) remains considerably lower than national, regional and sub-regional averages.

The applicant has challenged the findings of the Council's Employment Land and Premises Study and suggests there is sufficient supply of land for 48 years based on average annual take-up rates of 3.6ha between 2004/5 and 2013/4. The Council's monitoring shows that 71.95ha of employment land was developed over this period at an annual average of 7.2 ha per annum. The most up to date take-up rates, at April 2015, have averaged 7.05 hectares over the last 10 years throughout the Borough.

The Council's AMR for 2014/15 will show a gross employment land supply in the region of 167.2ha. Making allowances for land with serious physical constraints and with planning permission for other uses, a take-up rate of 7.05ha per annum over a 15 year plan period would give a supply of 14.4 years. A take up-rate of 8.3ha per annum, based on the annual average the last 15 years, would provide a supply equivalent to 12.3 years. This does not include allowances to maintain a 5 year buffer as recommended in the Employment Land and Premises Study or provide for additional growth to meet the objectives of the Council's Investment Strategy. Approving this application could therefore lead to insufficient land to accommodate new employment within the Borough over the next 15 years. Issues related the size type and location of a suitable supply would need to be addressed through the Core Strategy Local Plan public examination in the new year.

The applicant has also submitted details the approach taken to market the site from 2006 to 2014. This indicates that:

- i. Marketing took place on behalf of Sainsbury's for B1, B2 and B8 uses via an advertisement in the Estates Gazette, a for sale board at the site and mail shot to prospective agents, developers and occupiers since 2006. A full marketing campaign was also commenced in 2013.
- ii. An offer approximately £50,000 per acre was rejected in 2008 as too low. The purchaser had no immediate plans to develop and would have banked the land
- iii. An offer to purchase the land for C2 (Residential Institutions) was accepted in principle, but withdrew their decision in 2009 as they had aspirations for further retail development.
- iv. Several retail led enquiries were received from November 2009 to April 2014.
- v. A full marketing campaign for all potential uses including commercial and residential took place from April 2013 to May 2014. Nine expressions of interest were received and following an informal tender process in February 2014, six offers were received - one for retail, four for residential and one for mixed C2/C3 residential with an element of commercial development.

No specific details are included about the offer received in 2008 and the information provided with the application does not adequately demonstrate that the whole site has been actively marketed at a realistic price over the past 12 months for its intended employment purpose. One of the Estates Gazette advertisements and the for sale sign board on site indicates that the site was advertised separately for residential development only, subject to planning. The information also indicates that marketing was specifically targeted at the land fronting Arrowe Park Road only. There is no information to indicate the land allocated for employment development to the rear has been actively marketed.

The applicant's report indicates that very modest levels of interest for industrial development came forward when the economy was buoyant (2006 to 2008), and that the low level of interest continued during recession and early stage of recovery with interest only coming from retail and residential developers.

Whilst there are flaws in the applicants marketing evidence in that residential development has been invited over the past 12 months and the whole site has not been advertised, other signals regarding long term prospects for employment development can be taken into account. These include the fact that the site is not within an Assisted Area where employment could be encouraged through state aid; the business for which land was held for expansion under Proposal EM4 no longer exists; and the brownfield element of the site has not been in employment use since a BT depot closed in the 1990's. Outline planning permission was granted on part of the application site for new industrial units in 2007, but the permission was never implemented (OUT/07/7313). The site is known to be constrained by

contamination, the rear sector is land locked and access from Arroe Park Road is poor. Findings in the Council's Local Plan & Community Infrastructure Levy Economic Viability Study also suggest that substantive speculative industrial development is unlikely to take place without grant assistance, unless there is significant upturn in demand or market values over the next 15 years.

The applicant has contended that:

- i. Up to 90 FTE jobs are expected to be created during construction.
- ii. A further 20 indirect jobs are anticipated to be supported, as a result of household expenditure on local goods and services.
- iii. The development would be home to approximately 470 residents, approximately 300 of which could be of working age, who would add to the labour supply.
- iv. The scheme would deliver £1.5 million through the Government's new home bonus over six years.
- v. Council Tax receipts could be in the order of £239,000 per annum.

Housing Need

The NPPF expects local planning authorities to deliver a wide choice of high quality homes by meeting objectively assessed needs for market and affordable housing and maintaining a five-year supply of specific developable housing sites, with a buffer of between 5% and 20% (NPPF paragraph 47). As a specific requirement for Wirral has not yet been identified the terms of NPPF paragraphs 14 and 49 are applicable. Absence of a 5 year housing land supply does not mean that housing development should be permitted anywhere; it could be permitted only where it amounts to sustainable development taking account of other issues.

The Council's AMR (Dec 2015) will show that there is a 3.4 year supply with a 5% buffer or a 3.1 year supply with a 20% buffer based on the latest 2012 household projections produced by the Government. An update to the Council's Strategic Housing Market Assessment (SHMA) is still in progress to identify objectively assessed housing need and the subsequent housing requirement for the emerging Core Strategy Local Plan. The Council's Strategic Housing Land Availability Assessment, which will be published alongside the AMR, has been updated to April 2015.

The Council's AMR (Dec 2015) will show that planning permission was in place for 1,932 dwellings in April 2015, of which 1,534 units were on sites awaiting implementation. In addition to this, there is sufficient land within the Borough to accommodate up to 1,093 units on Category One sites without planning permission at April 2015 (which have been assessed as available, suitable and achievable within the next 5 years). This does not include the potential extra capacity for up to 15,193 dwelling at Wirral Waters.

Affordable Housing

The scale of the development triggers the requirement for affordable housing. The applicant has submitted a viability statement which outlines the costs of developing this site alongside potential profits. It concludes that it is not economically viable to provide affordable housing as part of the proposal due to the negative residual values and costs associated with developing the site including site clearance and provision of areas of open space which mean that some areas are undevelopable. A viability assessment has been submitted and has been reviewed by an independent consultant. The independent review has confirmed that it would not be economically viable to provide affordable housing on the site under the current economic situation.

SEPARATION DISTANCES

The development meets the Councils required separation distances in relation to existing and new properties.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway objections to this proposal subject to the implementation of highway improvement works set out in the main body of the report.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The application is accompanied by ecological and tree surveys which assess the developments impact on the adjacent SBI and any protected species. In this instance, an assessment of impact on potential bat roosts in trees and buildings has been carried out. Subject to conditions relating to lighting, it is not considered that any protected species will be adversely affected.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The application site is located in a sustainable location which is accessible to shops, schools, a hospital and public transport. Development to the immediate east of the site is also predominantly residential.

The development would result in the loss of industrial land in an area where the availability of alternative employment development sites is scarce.

The applicant has sought to demonstrate that there is no interest in the site for employment development, but the evidence submitted is not complete. However, there are other factors that could be weighed in support of the site's loss to residential development. The site is derelict with poor access and has not been used since being vacated in the 1990's; and it is not in an Assisted Area, although some funding could be available to support small to medium sized enterprises. Therefore, the history, type and location appear to suggest that there would only be limited long term prospects of this particular site being developed for employment purposes.

It is acknowledged that benefits could be accrued from the development in terms of potential employment in construction and maintenance and through the New Homes Bonus if it continues. However, it is considered that those benefits would not be sufficient by themselves outweigh the loss of the site for employment uses.

It can, on balance, be concluded that the sustainability benefits, which can be achieved through new housing with associated environmental improvements are sufficient, in this particular case, to outweigh adverse impacts from losing the potential opportunity for employment growth at the site, having regard to market signals, the need for new housing and the prospects for implementing industrial development in the longer term.

Summary of Decision:

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

Whilst the proposal constitutes a departure to the adopted local plan, it can, on balance, be concluded that the sustainability benefits, which can be achieved through new housing with associated environmental improvements are sufficient, in this particular case, to outweigh adverse impacts from losing the potential opportunity for employment growth at the site, having regard to market signals, the need for new housing and the prospects for implementing industrial development in the longer term.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on (insert date) and listed as follows: (insert plan/drawing numbers & date)

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

3. Before any construction commences, samples of the facing/roofing/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.

4. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. (Note: The gradients of any new road or turning area should not exceed 1:25 and those of parking or loading bays should not exceed 1:40).

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and that satisfactory gradients are achieved.

5. NO DEVELOPMENT SHALL TAKE PLACE UNTIL a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policy WM8 of the Waste Local Plan.

6. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment, including acoustic fencing, to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwellings hereby approved are 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 adjoining properties and to accord with Policy HS4 of the Wirral Unitary Development Plan.

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

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

8. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:
 - A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.
 - B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological,

hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- J. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).
- K. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)
- L. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- M. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- N. the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To protect trees which are of significant amenity value to the area having regard to Policy GR7 of the Wirral Unitary Development Plan and to ensure that all arboricultural works are carried out to a satisfactory standard.

9. The new RFCA training building and car parking area, detailed in drawing 15071-101-A shall be completed and available for use before any of the dwellings hereby approved are occupied.

Reason: For the avoidance of doubt and to ensure an adequate replacement facility.

10. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

11. PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.
The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local

Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

12.

No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:

- a. Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b. The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate which has been calculated at 25 litres per second in the submitted Flood Risk Assessment. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c. Any works required off-site to ensure adequate discharge of surface water without causing flooding or;
- d. Flood water exceedance routes, both on and off site;
- e. A timetable for implementation, including phasing as applicable;

The scheme shall be implemented in accordance with the approved details prior to occupation or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason :To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off the site resulting from the proposed

13.

No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

14.

No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to the local planning authority which, as a minimum, shall include:

- a. the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b. arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance

- caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c. means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

15. The Flood Risk Assessment identifies that attenuation will be provided through the construction of swales and ponds / basins. All attenuation basins and flow control devices/structures are to be constructed and operational prior to the commencement of any other development and prior to any development phase.

Reason: To ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate and to prevent a flood risk during the construction of the development

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason :To ensure a safe form of development that poses no unacceptable risk of pollution to the water environment

17. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason : To ensure a safe form of development that poses no unacceptable risk of pollution to the water environment.

18. No infiltration of surface water drainage into the ground where adverse concentrations of land contamination are subsequently identified to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to the water environment.

19. No development shall commence on site until full details of works relating to the access onto Arrowe Park Road together with the estate road(s) has been submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be restricted to, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, visibility splays, accesses,

carriageway gradients, drive gradients, car parking and street furniture, including a timetable for the provision of such works. No part of the development shall be first occupied until the details have all been constructed and laid out in accordance with the approved details.

Reason: To ensure that the development is laid out and constructed in a satisfactory manner having regards to highway safety and Policy HS4 of the Wirral Unitary Development Plan.

20. No development shall commence on site until a full scheme of works for the construction of details shown on Drawing No SK219/001 Rev C has been submitted to and approved in writing by the Local Planning Authority. Such a scheme of works shall include for:
- i. the provision of a pedestrian refuge island on Arrowe Park Road and any associated works as may be required;
 - ii. details of traffic calming measures/features and road widths as appropriate; and
 - iii. details of the proposed emergency access facility between the site and Sainsbury's service road.

No part of the development shall be first occupied until the works have been constructed and laid out in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety having regards to Policy HS4 of the Wirral Unitary Development Plan.

21. No development shall commence on site until a full scheme of works to include for the upgrading of the existing bus stop on the west side of Arrowe Park Road adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first occupied until the works have been constructed and laid out in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety having regards to Policy HS4 of the Wirral Unitary Development Plan.

22. NO DEVELOPMENT SHALL TAKE PLACE until full details of arrangements for a cycle route within the site and secure cycle parking provision to serve the self-contained flats have been submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented in full before the buildings to which it relates are occupied and shall be maintained as such, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of accessibility and to accord with Policy TR11 and Policy TR12 in the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 28/10/2015 11:17:43

Expiry Date: 22/12/2015

Planning Committee

17 December 2015

Reference:
APP/15/01267

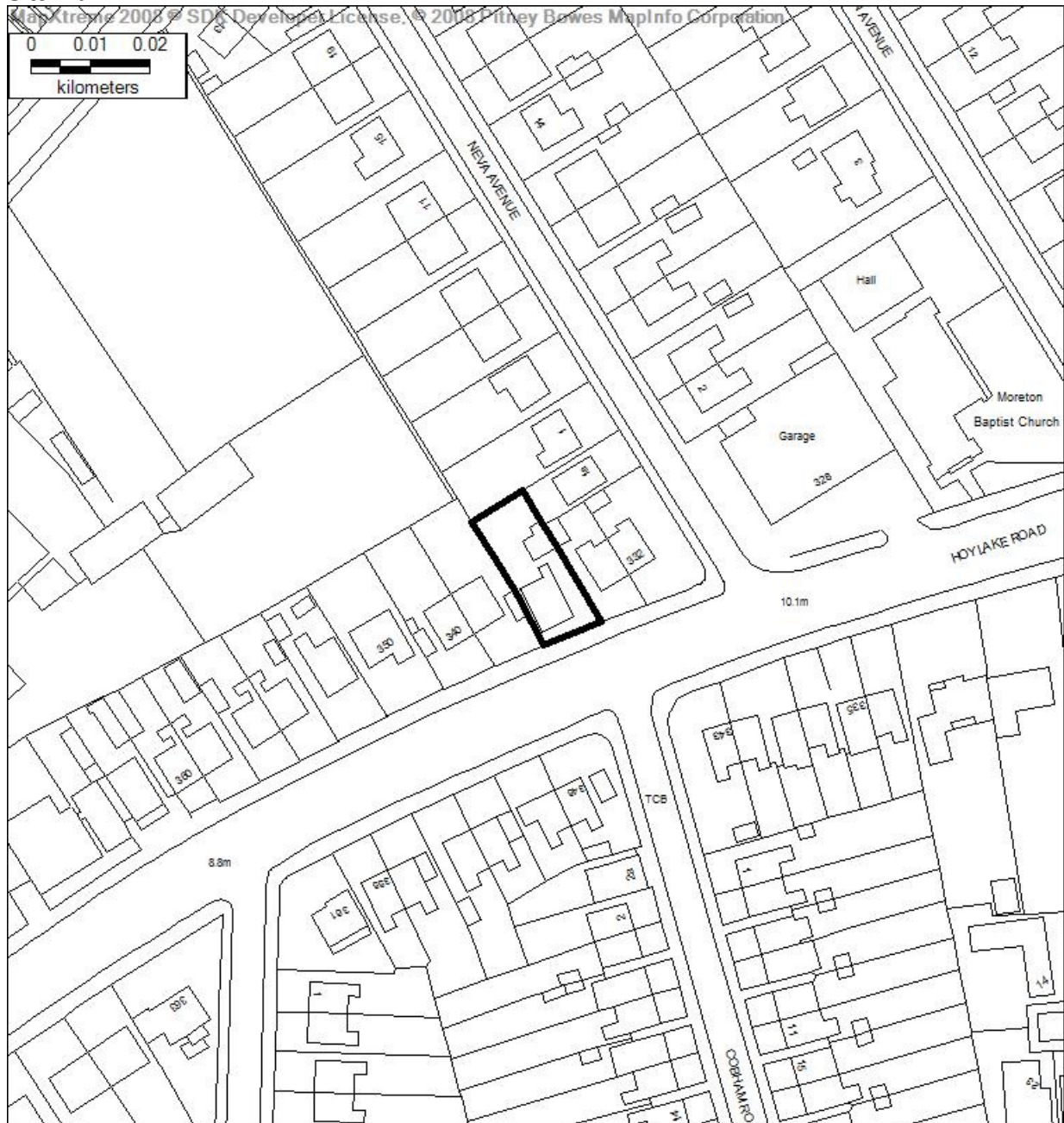
Area Team:
North Team

Case Officer:
Mr K Spilsbury

Ward:
**Moreton West and
Saughall Massie**

Location: 336 HOYLAKE ROAD, MORETON, CH46 6DF
Proposal: Erection of a single storey extension to the existing garage and change of use to a Physiotherapy treatment room and home office facility
Applicant: Miss G Dabek
Agent : SDA Architecture & Surveying

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: 336, Hoylake Road, Moreton. L46 3DF
Application Type: Full Planning Permission
Proposal: Change of use to estate agency with offices.
Application No: APP/90/07595
Decision Date: 04/01/1991
Decision Type: Approve

Location: 336 HOYLAKE ROAD, MORETON, CH46 6DF
Application Type: Full Planning Permission
Proposal: Change of use from offices to dwelling with internal alterations and erection of a detached garage
Application No: APP/10/00192
Decision Date: 29/04/2010
Decision Type: Approve

Location: 336 Hoylake Road, Moreton, Wirral, CH46 6DF
Application Type: Full Planning Permission
Proposal: Change of use from garage to store for building materials
Application No: APP/01/05446
Decision Date: 04/05/2001
Decision Type: Returned invalid

Location: 336 Hoylake Road, Moreton, Wirral, CH46 6DF
Application Type: Advertisement Consent
Proposal: Erection of a window sign
Application No: ADV/99/06571
Decision Date: 18/11/1999
Decision Type: Returned invalid

Location: 336, Hoylake Road, Moreton. L46 6DF
Application Type: Full Planning Permission
Proposal: Change of use to hot food take away.
Application No: APP/86/06996
Decision Date: 05/02/1987
Decision Type: Refuse

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

Having regard to the Council's Guidance for Publicity on Planning Applications, notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing this report there have been three letters of objections received from the occupiers of 340 and 347 Hoylake Road and 1 Neva Avenue. The objections are summarised as follows:

1. Impact upon the area having regards to parking drop off and pick up potentially resulting in congestion, parking and access issues for residents.
2. impact of the development on the rear fence of 1 Neva Ave and reassurance that the fence will be made good if effected.

CONSULTATIONS

Head of Environment & Regulation (Pollution Control Division) - No objection

Head of Environment & Regulation (Traffic and Transportation Division) - No objection

Director's Comments:

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. 3 letters of objection have been received from neighbouring residents. Under the provisions of the approved Scheme of Delegation for Determining Planning Applications the application must be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for the erection of a single storey extension to the existing garage and the change of use to a physiotherapy treatment room and home office facility.

PRINCIPLE OF DEVELOPMENT

The proposed development is for the creation of a physiotherapist business ran from an extended garage building in a rear garden at home of the applicant. Provision is made for non-residential uses in UDP Policies HS15, subject to criteria which protects the character of the area and residential amenity.

SITE AND SURROUNDINGS

The property itself is a detached house located within a predominantly residential area on main road leading to Moreton Town Centre. The proposed development will be located at the rear of the dwelling on the rear boundary of 1 and 1a Neva Avenue. There is a neighbouring garage adjacent to the site and a long rear garden that extends some 14m from the rear of the dwelling.

POLICY CONTEXT

The proposed development must be assessed for compliance against the criteria in UDP Policy HS15 Non-Residential Uses in Primarily Residential Areas. UDP Policy HS15 states that:

Within the Primarily Residential Areas as defined on the Proposals Map, 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.

UDP Policy TR9 also indicates the Local Planning Authority will be guided by a number of considerations when off street parking associated with new development including highway safety and traffic management issues in the locality of the proposal.

The National Planning Policy Framework (NPPF) is also a material planning consideration which sets a presumption in favour of sustainable development. NPPF paragraph 9 indicates that this means seeking positive improvements to the quality of the built environment as well as the quality of peoples by making easier for jobs to be created in cities, towns and villages and improving conditions in which people live, work and travel.

APPEARANCE AND AMENITY ISSUES

The business is relatively small in scale, with 1 full time member of staff (the owner). The proposed scale of the business is relatively small in terms of the impact onto the character of the residential area, and as such proposed 'comings and goings' during business hours as proposed will have a minimal impact and as such will not cause nuisance to neighbouring amenities.

The hours of use proposed and the scale of the business are considered to be low in terms intensity and will not cause nuisance to existing neighbours. The proposed building will be single storey and sited on the site of a former domestic garage adjacent to the neighbouring garage at the rear of the property.

At the time of writing this report there have been three letters of objections received from the occupiers of 340 and 347 Hoylake Road and 1 Neva Avenue. The objections are summarised as follows:

1. Impact upon the area having regards to parking drop off and pick up potentially resulting in congestion, parking and access issues for residents.
2. Impact of the development on the rear fence of 1 Neva Ave and reassurance that the fence will be made good if effected.

Head of Environment & Regulation (Pollution Control Division) has been consulted with regards to the potential environmental impacts associated with the business. They have raised no objection to the development. The hours of operation could be controlled by a condition should members be minded to approve the application.

The Head of Environment & Regulation (Traffic and Transportation Division) has also been consulted with regards to the potential traffic impacts of the development. No objection has been raised. Whilst the proposal will create additional traffic movements, it is unlikely to create significant traffic of highway safety problems. A refusal on highway grounds can therefore not be sustained.

Damage to a party fence would a civil matter and as such a refusal on these grounds could not be sustained.

The appearance of the proposal will not harm the character of the residential area and the use will be controlled through conditions to ensure there are no adverse impacts. The development is therefore considered acceptable having regard to Wirral's UDP Policy HS15 and the NPPF.

SEPARATION DISTANCES

Separation distances do not apply in this instance as the building is single storey.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal. The Head of Environment & Regulation (Traffic and Transportation Division) has also been consulted with regards to the potential traffic impacts of the development. No objection has been raised. Whilst the proposal will create additional traffic movements it is unlikely to create significant traffic of highway safety problems.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

CONCLUSION

The development is considered to be small in scale, acceptable in appearance and will not harm the character of the residential area. The hours of use will be controlled through conditions to ensure there are no adverse impacts. The development is therefore considered acceptable having regard to Wirral's UDP Policy HS15 and 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The development is considered to be small in scale, acceptable in appearance and will not harm the character of the residential area. The hours of use will be controlled through conditions to ensure there are no adverse impacts. The development is therefore considered acceptable having regard to Wirral's UDP Policy HS15 and the NPPF.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the

date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6th October 2015 and listed as follows: 191_2015_01 (dated 04.09.2015)

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

3. The physiotherapy business hereby approved shall be closed between 20:00 hours and 08:30 hours Monday to Friday, between 14:00 hours and 09:00 hours on Saturdays and closed on a Sunday and Bank Holidays.

Reason: Having regard to the amenities of the neighbouring properties and the character of the residential area in accordance with policy HS15 of the Wirral UDP.

4. There shall be no more than one customer at any given time and the use shall be operated on an appointments basis only.

Reason: To safeguard the amenities of adjoining neighbours and protect the character of the area and in the interests of highway safety having regard to Policy HS15 of the Wirral Unitary Development Plan.

5. The use hereby permitted shall be used as a physiotherapy business only and for no other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regards to the amenities of adjoining neighbours and the character of the area having regard to Policy HS15 of the Wirral Unitary Development Plan.

6. The use hereby permitted shall be carried on only by Miss G Dabek (the applicant) for the period during which the premises are occupied by the applicant. When the premises cease to be occupied by Miss G Dabek (the applicant), the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed.

Reason: To safeguard the amenities of adjoining neighbours and protect the character of the area having regard to Policy HS15 of the Wirral Unitary Development Plan.

Last Comments By: 04/11/2015 15:05:22

Expiry Date: 01/12/2015

This page is intentionally left blank

Agenda Item 12

Planning Committee
17 December 2015

Reference:
APP/15/01270

Area Team:
North Team

Case Officer:
Mr K Spilsbury

Ward:
Bidston & St James

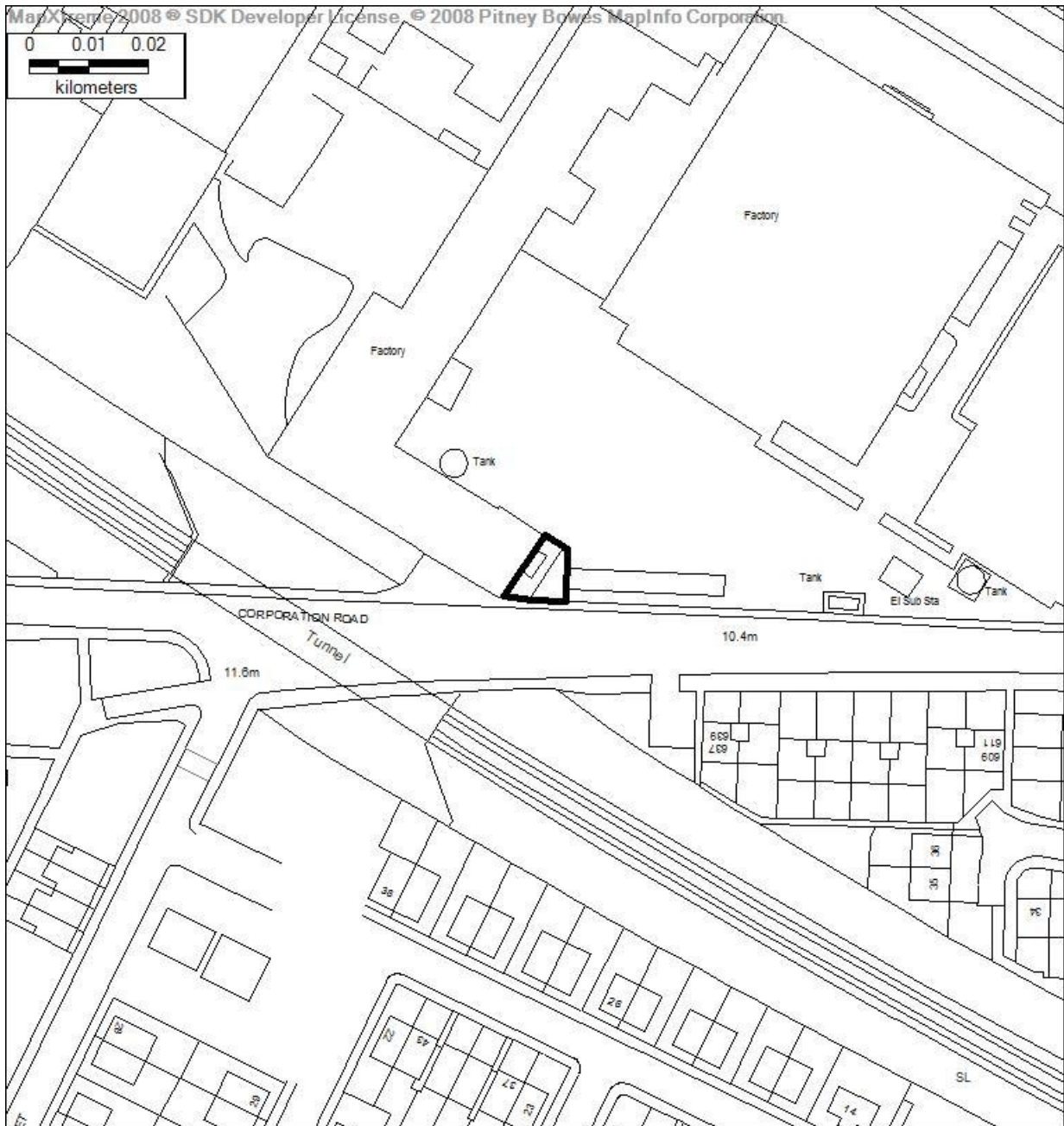
Location: LAND AT BEAUFORT ROAD ADJOINING TO CORPORATION ROAD, BIRKENHEAD, WIRRAL

Proposal: Erection of an industrial unit consisting of two small workshops on the ground floor with residential accommodation above

Applicant: Mr Abdul Erzouki

Agent : Mr Robert Palin

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Industrial Area

Planning History:

Location: Land rear of 7-11 , Beaufort Road, Birkenhead, Wirral, CH41 1HE
Application Type: Full Planning Permission
Proposal: Change of use and alteration of building to form 4 apartments, commercial storage area and offices
Application No: APP/05/05284
Decision Date: 07/10/2005
Decision Type: Approve

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

Having regard to the Council Guidance on Publicity for Applications, 10 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report NO representations have been received.

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Head of Environment & Regulation (Pollution Control Division) - No Objections

Health & Safety Executive - Do not advise against the grant of planning permission

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

The residential element of the development is a departure from the development plan and as such under the current scheme of delegation the application must be heard at planning committee.

INTRODUCTION

The proposal is for the erection of an industrial unit consisting of two small workshops on the ground floor with residential accommodation above.

PRINCIPLE OF DEVELOPMENT

Beaufort Road is designated as part a Primarily Industrial Area as in the Wirral Unitary Development Plan (UDP). In principle the proposal for industrial is acceptable subject to Policy EM8 - Development within Primarily Industrial Areas; however the residential element of the proposal for housing is a departure from the Development Plan.

SITE AND SURROUNDINGS

The site is located at the end of a row of industrial buildings.

The majority of the site is surrounded by other commercial business; however the opposite side of the road forms the primarily residential area of Birkenhead North.

POLICY CONTEXT

The site is located within a Primarily Industrial Area as allocated within Wirral's Unitary Development Plan (UDP). Policy EM8 - only permits development within Use Classes B1 - business use, B2 - general industrial, and B8- storage and distribution, subject to Policy EM6 and Policy EM7.

UDP Policy HS4 sets relevant criteria for assessing residential component of the scheme.

The Council also resolved that the Core Strategy Local Plan Submission Draft will be material in the determination of planning applications. Draft Policy CS17 contains a number of criteria to safeguard designated employment areas, including provision for other development necessary to secure

additional employment use that would otherwise be viable.

The NPPF is also a material consideration which sets a presumption in favour of sustainable development that seeks positive improvements in the quality of the built environment and the conditions in which people live, work and travel.

Birkenhead Park train station is a 10 minute walk from the site and there is a frequent bus running long Laird Street. The scheme will deliver a live/work arrangement on boundary of the primarily residential area.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

APPEARANCE AND AMENITY ISSUES

The proposed building will be smaller in scale than its neighbour. It will have a standard industrial appearance at ground floor including roller shutter doors and pedestrian access and windows allowing natural light into the building. The first floor element will be more domestic in appearance with a large deck for amenity above the level of the neighbouring wall. Views out of the building will be towards the primarily residential area.

The site is an undeveloped brownfield site within the industrial area that currently detracts from the overall character of the area due to its unkempt appearance. It is considered that the proposed development will bring the site back into use and provide sustainable development in accordance with the principles of the NPPF. The site has vehicle access and off street parking provision and the use at ground floor is appropriate to its land designation.

The proposed flat is considered acceptable having regard to policy HS4 - New Housing Development. The scale relates well to the adjacent property, in particular with regard to existing densities and form. The area is mixed with both commercial and residential properties lying next to each other therefore the proposal will not result in a detrimental change in the character of the area.

In accordance with the Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton Policy WM8 requires development to incorporate measures for achieving efficient use of resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting. Should members be minded to approve the scheme conditions can be imposed to ensure this is achieved.

It is considered that the proposed development is acceptable in this instance subject to conditions.

SEPARATION DISTANCES

Separation distances are easily met. All habitable windows are located at first floor and have an acceptable outlook.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal. The scheme is acceptable in terms of road safety and traffic management.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental/sustainability issues

CONCLUSION

Whilst the development for the residential element of the scheme is a departure from the development plan the intention to create employment development where the applicant can live and work in the building weighs in favour of the proposal in this particular case.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development

Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

Whilst the development for the residential element of the scheme is a departure from the development plan the intention to create employment development where the applicant can live and work in the building weighs in favour of the proposal in this particular case.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 25th September 2015 and listed as follows: SG/CR/2/A (Dated 29/07/15), SG/CR/3/A (Dated 29/07/15), SG/CR/4/A (Dated 29/07/15), SG/CR/5/A (Dated 29/07/15), SG/CR/6/A (Dated 29/07/15) & SG/CR/7/A (Dated 29/07/15).

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

3. Before any construction commences, samples of the facing/roofing/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.

4. The occupation of the first floor residential apartment hereby approved shall be limited to persons solely or mainly employed in or own/occupy the industrial premises allowed on the lower ground floor of the building hereby approved.

Reason: Residential apartments do not strictly accord with the provisions of the development plan and permission has only been forthcoming in this instance on the basis that the accommodation provided will be occupied by persons who are solely or mainly employed on site.

5. Prior to the first occupation of the building, arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: to ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy and WM9 of the Waste Local Plan

6. No doors on the external elevations of the development hereby permitted shall open outwards onto the public pavement.

Reason: In the interests of highway and pedestrian safety, having regard to UDP Policy HS4 of the Wirral Unitary Development Plan.

7. Prior to commencement a suitable noise insulation scheme between ground floor and the residential accommodation above should be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in full prior to first

occupation and retained as such thereafter.

Reason: In the interest of residential amenity having regards to UDP Policy HS4

8. NO DEVELOPMENT SHALL TAKE PLACE UNTIL a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

Further Notes for Committee:

Last Comments By: 11/11/2015 10:38:19
Expiry Date: 20/11/2015

This page is intentionally left blank

Planning Committee

17 December 2015

Reference:
OUT/15/01287

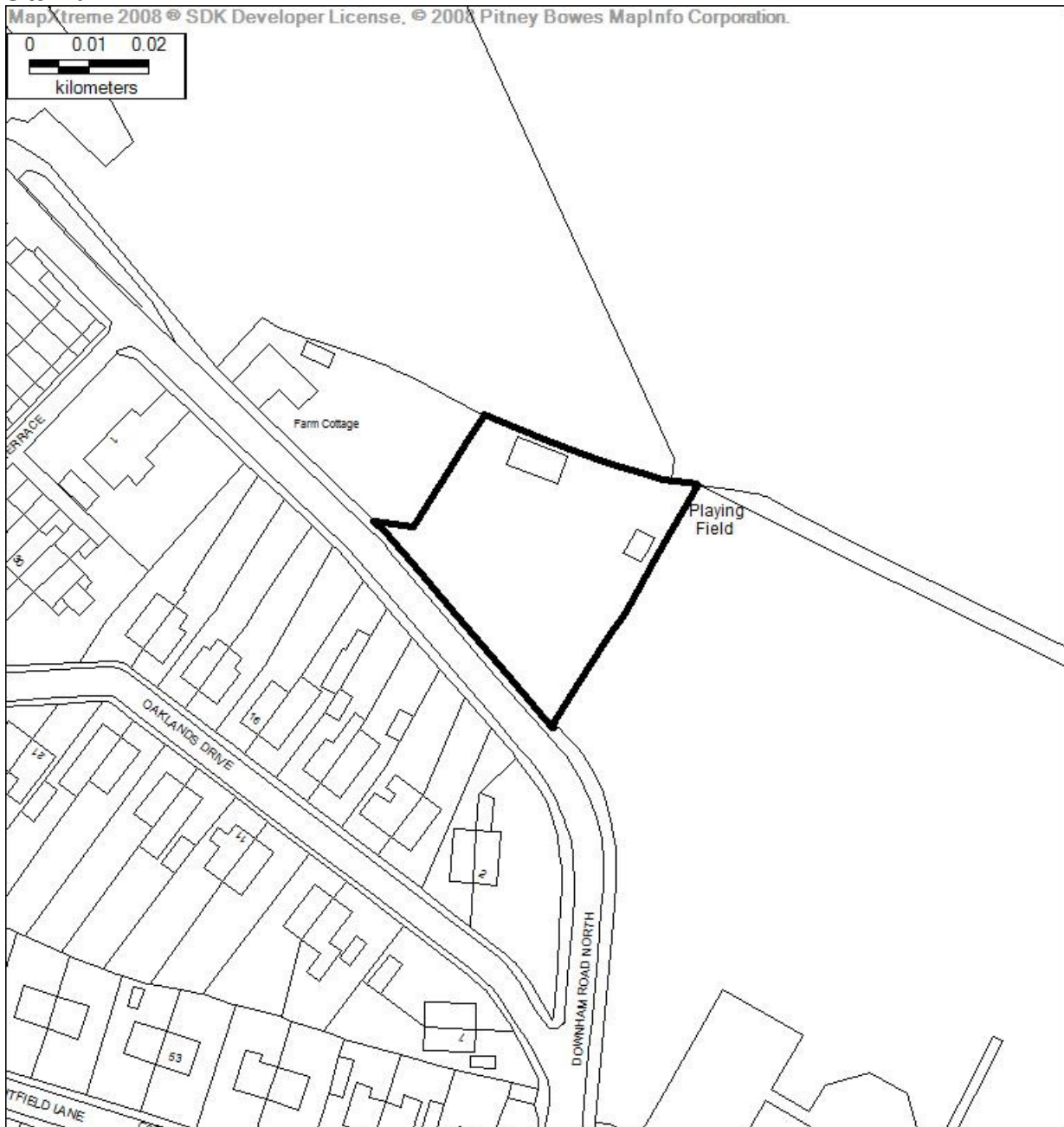
Area Team:
South Team

Case Officer:
Mr P Howson

Ward:
**Pensby and
Thingwall**

Location: Farm Cottage, 33 DOWNHAM ROAD NORTH, HESWALL, CH61 6UN
Proposal: Outline consent for the erection of 2 No. dwellings with some matters reserved (amended description)
Applicant: Grosvenor Homes Ltd
Agent : Matthews and Goodman LLP

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

- Location: Farm Cottage, Downham Road North, Heswall, L61 6UN
Application Type: Full Planning Permission
Proposal: Erection of two single storey extensions to bungalows and alterations to existing roof.
Application No: APP/81/19209
Decision Date: 05/11/1981
Decision Type: Conditional Approval
- Location: Farm Cottage, Downham Road North, Barnston, L61 6UN
Application Type: Full Planning Permission
Proposal: Rebuilding of an existing bungalow with alterations and an extension
Application No: APP/82/20821
Decision Date: 26/08/1982
Decision Type: Conditional Approval
- Location: Garden south of (adjacent) Farm Cottage, Downham Road North, Heswall. L61 6UN
Application Type: Outline Planning Permission
Proposal: Erection of three detached dwellings and garages, (outline).
Application No: OUT/93/06636
Decision Date: 17/12/1993
Decision Type: Refuse
- Location: Garden south of (adjacent) Farm Cottage, Downham Road North, Heswall. L61 6UN
Application Type: Outline Planning Permission
Proposal: Erection of two detached dwellings and garages, (outline).
Application No: OUT/94/05303
Decision Date: 30/03/1994
Decision Type: Refuse
- Location: Farm Cottage, 33 Downham Road North, Heswall, Wirral, CH61 6UN
Application Type: Full Planning Permission
Proposal: Erection of a single storey side and rear extension and creation of a new vehicular access
Application No: APP/99/06540
Decision Date: 22/10/1999
Decision Type: Approve
- Location: Farm Cottage, 33 Downham Road North, Heswall, Wirral, CH61 6UN
Application Type: Full Planning Permission
Proposal: Erection of a rear conservatory and detached garage
Application No: APP/05/07599
Decision Date: 10/01/2006
Decision Type: Approve
- Location: Farm Cottage, 33 DOWNHAM ROAD NORTH, HESWALL, CH61 6UN
Application Type: Full Planning Permission
Proposal: Single storey side and rear extensions
Application No: APP/15/00633
Decision Date: 24/06/2015
Decision Type: Approve
- Location: Farm Cottage, 33 DOWNHAM ROAD NORTH, HESWALL, CH61 6UN
Application Type: Full Planning Permission

Proposal: Development of four dwellings with associated access and landscaping works.
Application No: APP/15/00500
Decision Date: 28/07/2015
Decision Type: Withdrawn

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 22 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing a single letter of representation has been received, summary of comments;

1. Regard should be given to the vehicle access as this is a dangerous location
2. Boundary vegetation should be retained
3. Trees have been removed within the site
4. Properties along Oaklands Drive will be overlooked
5. Parking
6. Construction traffic

CONSULTATIONS

Head of Environment & Regulation (Traffic and Transportation Division) - No objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Michael Sullivan requested that the application be taken out of delegation for reasons of parking and loss of privacy.

INTRODUCTION

This application seeks outline consent for the erection of two dwellings on land adjacent to Farm Cottage No. 33 Downham Road, Heswall. Appearance, landscaping and scale are reserved for subsequent approval.

Over the course of this application amended plans were requested addressing concerns over the scheme in relation to the character and appearance of the area. Amended plans were submitted and the issues subsequently resolved.

PRINCIPLE OF DEVELOPMENT

The proposal is located within a Primarily Residential Area as per the Wirral UDP Proposals Map 2000. The site in question is considered to be a sustainable location and Policy HS4 supports new residential development within Primarily Residential Areas, as such the proposal is considered acceptable in principle subject to the relevant policies within the adopted Wirral UDP and the National Planning Policy Framework (NPPF).

SITE AND SURROUNDINGS

The application site comprises of a grassed area approximately 0.20 hectares situated to south-east of Farm Cottage. The site is accessed via a driveway which serves Farm Cottage and sits at an elevated position relative to Downham Road. A large sandstone retaining wall forms the boundary along the southern axis of the site whilst areas of dense vegetation form the boundary on its north and eastern axis.

This part of Downham Road is represented by two and single storey residential dwellings constructed at

angles to the street. The northern axis of Downham Road features areas of open countryside whilst the southern axis of the street is fronted by the rear boundary treatment of a number of dwellings along Oaklands Drive.

POLICY CONTEXT

Policy HS4: Criteria for New Housing Development states that proposals for new housing development will be permitted subject to the proposal being of a scale which relates well to surrounding property, not resulting in detrimental change the character of the area, access and services being capable of satisfactory provision for off-street car parking areas, the provision of appropriate landscaping and boundary treatment and adequate private or communal amenity space.

Policy GR5: Landscaping and New Development seeks proposals to submit full landscaping proposals including the specification of new planting, the appropriateness in terms of the nature of the of the location of the development, provide for the protection and enhancement of existing features and take full account of the effect of proposals on visibility at access points and local climatic influences.

Policy GR7: Trees and New Development of the Wirral UDP requires new buildings, structures and hard surface areas to be sited to substantially preserve the wooded character of the site or of the surrounding area, provide for the protection of trees of greatest visual or wildlife value and ensure that trees have adequate space to prevent damage to their canopy and root structure. Policy GR7 also seeks to prevent the removal of trees by occupiers of the development to obtain reasonable sunlight to habitable rooms.

Policy LA7: Criteria for Development at the Urban Fringe requires new development proposals at the edge of the urban area to be sited, designed and landscaped in order to minimise visual intrusion, boundary treatment being appropriate in terms of the character of the surrounding landscape and prominent features within the landscape framework of the area are retained and enhanced.

The National Planning Policy Framework (NPPF) is a material planning consideration which sets a presumption in favour of sustainable development which seeks positive improvements in the quality of the built environment and the conditions in which people live.

APPEARANCE AND AMENITY ISSUES

The application seeks outline consent for the erection of No. 2 residential dwellings on land adjacent to Farm Cottage with appearance, landscaping and scale subject of a reserved matters application.

In respects of the scheme proposed, it is considered that the site would be able to accommodate two residential dwellings with sufficient private amenity space, off-street parking and turning circle and is acceptable in this respect.

There have been two previously refused applications and subsequent dismissed appeals for No. 3 residential dwellings under OUT/93/6636 and No. 2 dwellings under OUT/94/5303 with the Inspector stating that *'the proposals would erode the rural character of the land to the east of Downham Road North and would conflict with the objectives of the local and national planning policies'*.

Following the Inspectors decision, the National Planning Policy Framework (NPPF) was introduced in 2012 a material planning consideration. NPPF, paragraphs 14, 56 and 64 sets a presumption in favour of sustainable development which contributes positively to making places better and make it clear that permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of the area and way it functions.

It is considered that the proposed dwellings would be within reasonable distance to local amenities and public transport whilst contributing to housing delivery. The previously refused applications and subsequent dismissed appeals were for outline consent with all matters reserved with the inspector stating that the supporting drawings were for illustrative purposes only.

Policy LA7 (criterion i) of the Wirral UDP requires new buildings to be sited in order to minimise visual intrusion. At the request of the Local Planning Authority the applicant has reduced the density and footprint of the scheme and resubmitted for outline consent including details of access and layout. It is considered that a well landscaped scheme would retain the rural character of this part of Downham Road and a condition has been imposed to this affect. The proposed layout would minimise the visual intrusion of the scheme within the immediate vicinity and high quality low rise scheme would be sought at reserved matters to preserve the open aspect of this part of the street.

In respects of neighbouring amenity, no details have been submitted regarding the position of windows as this is not required at outline stage, however, it is considered that two dwellings could be accommodated on the site in question with regard to 21 metre separation distances required.

Other Matters

Over the course of this application two letters of representation were received one comment and one objection, summary of comments;

- a) Regard should be given to the vehicle access as this is a dangerous location
- b) Boundary vegetation should be retained
- c) Trees have been removed within the site
- d) Properties along Oaklands Drive will be overlooked
- e) Parking
- f) Construction traffic

The applicant has demonstrated that the scheme would achieve clear visibility splays whilst the Head of Environment & Regulation (Traffic and Transportation Division) has raised no objections to the proposal. Issues relating to construction including traffic is not a material planning consideration and thus holds no weight in the determination of this application.

At the time of the site visit the site appeared clear with trees and vegetation confined to the boundary. There are no tree preservation orders within the site in question and it is not sited within a conservation area as such afford no formal protection. The proposed dwellings would be sited at least 28 metres from the rear of properties along Oaklands Drive and as such the interface distances could be met details of windows would be included as part of reserved matters.

SEPARATION DISTANCES

No details have been submitted detailing the position of windows as this will be subject to a reserved matters application, however, the Local Planning Authority seeks a 21 metre separation distance for habitable room windows facing one another whilst main habitable rooms should be 14 metres from any blank gable. If there are differences in land levels a greater separation should be provided.

HIGHWAY/TRAFFIC IMPLICATIONS

An application for No. 4 dwellings was submitted and subsequently withdrawn on the site in question under APP/15/00500. The Head of Environment & Regulation (Traffic and Transportation Division) raised concerns regarding the proposed access and lack of clear visibility splays on the previously withdrawn scheme. The applicant has submitted an amended plan as part of this application demonstrating that clear visibility splays are achievable furthermore the Head of Environment & Regulation (Traffic and Transportation Division) has raised no objections to the proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental/sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The application for outline planning permission including details of layout and access with matters of appearance, landscaping and scale reserved is acceptable having regard to the surrounding residential development and complies with Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

Summary of Decision:

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

The application for outline planning permission including details of layout and access with matters of appearance, landscaping and scale reserved is acceptable having regard to the surrounding residential development and complies with Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 17 September 2015, 5 November 2015 and 24 November 2015 and listed as follows: 01 Preliminary Tree Constraints Plan, L(80)001 Existing Site Plan, SCP/15049/F01 Rev B Acces Design & Swept Path Analysis, 111 Rev B Site Layout Street Elevation and Site Location Plan

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

3. 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) Scale
- (b) Appearance
- (c) 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.

4. 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.

5. 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.

6. 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 HS4 of the Wirral Unitary Development Plan.

7. Prior to commencement of development details of a surface water management plan shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in full in accordance with the agreed plan and retained as such thereafter.

Reason: In the interest of land drainage having regards to policy WA2

8. NO DEVELOPMENT SHALL TAKE PLACE until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Waste Local Plan.

9. No part of the development shall be brought into use until areas for vehicle parking, turning and manoeuvring have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan.

Reason: In the interests of amenity and to accord with Policy HS4 in the in the Wirral Unitary Development Plan

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) there shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof, without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy HS4 of the Wirral Unitary Development Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking or re-enacting that Order with or without modification) no garages, outbuildings or enclosure shall be constructed within the applications site without the prior written approval of the Local Planning Authority.

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.

12. Arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made for inclusion within the curtilage of the site, in accordance with details to be submitted with the detailed planning application for reserved matter. The approved details shall be implemented in full before the development hereby approved is brought into use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Policy WM9 of the Waste Local Plan.

Further Notes for Committee:

Last Comments By: 26/11/2015 14:06:52

Expiry Date: 12/11/2015

Planning Committee

17 December 2015

Reference:
APP/15/01288

Area Team:
South Team

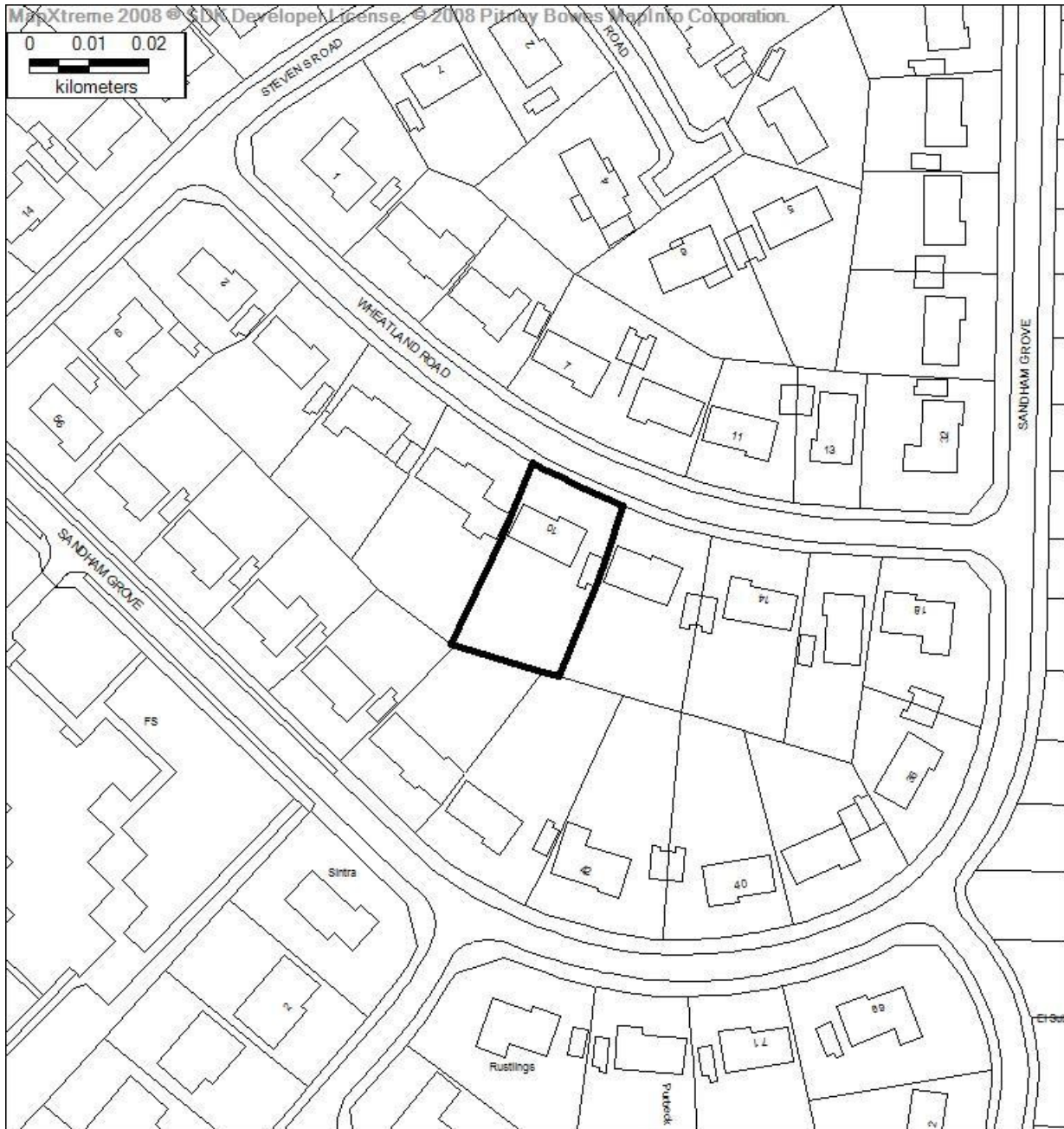
Case Officer:
Miss A McDougall

Ward:
Heswall

Location: 10 WHEATLAND ROAD, BARNSTON, CH60 1XY
Proposal: Redevelopment of house to include ground and first floor extensions, dormer windows and a balcony.

Applicant: Ms Nicky Hall
Agent : SDA Architecture & Surveying

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History

No planning history

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

Having regard to the Council Guidance on Publicity for Applications, 7 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 1 objection has been received, listing the following grounds:

1. loss of privacy from balcony

Director's Comments:**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 and the Council has received one letter of objection.

INTRODUCTION

The proposal is for the redevelopment of an existing dwelling that includes extensions, dormer windows and a balcony. The initial plans have been amended following consultation with the agent, amendments were made to the rear balcony, the plans were received on 17 November 2015.

PRINCIPLE OF DEVELOPMENT

The proposal is for extensions and alterations to an existing dwelling, the principle of development is acceptable.

SITE AND SURROUNDINGS

The existing property is a dormer bungalow, the neighbouring properties are all of a similar scale, the properties to the rear are also of a similar scale. The character of the area is residential, the plots are a good size with substantial rear gardens.

POLICY CONTEXT

The proposal is for extensions to a dwelling, the proposal will therefore be assessed in accordance with Wirral's UDP Policy HS11 and SPG11.

Policy HS11 states; 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 overall scheme is a redevelopment of the original bungalow, the extensions include the removal of the side garage and replacement, widening of the front gable, additional and reworked dormer window extensions to front and rear and a rear central extension that includes a covered balcony. With the exception of the rear extension, the building lines of the original dwelling remain as does the height of the dwelling.

The proposed side extension continues the front and rear building line of the house and replaces the existing single storey garage, the extension also includes new front and rear dormer windows. The extension mirrors the original design of the house and relates well in terms of the continued frontages along Wheatland Road.

To the rear the proposal includes a rear extension which projects approximately 3m from the rear elevation, the extension is set in from both side elevations to create an extended kitchen/living area, above this is a covered balcony that sits under the eaves of the roof extension.

The design of the balcony has been amended, the initial scheme was for an open roof top terrace that had a greater seating area with visibility to either side and the rear. The amended scheme reduces the useable external area and provides screening under the eaves to the side elevations. The rear outlook will remain, the views are now restricted down the garden which has a depth (from the extension) of 18m, the distance of the balcony to the rear elevations of the houses on Sandham Grove are approximately 35m.

The redevelopment of the property creates a dwelling that has a modern finish but retains the character of the street scene in terms of scale and appearance, the rear covered balcony is of a scale and siting that will not result in an unacceptable loss of privacy to neighbouring properties or residential gardens.

It is considered that the proposed development as a whole is acceptable in terms of appearance, scale and impact onto existing neighbouring houses.

SEPARATION DISTANCES

The redevelopment of the dwelling introduces additional windows to the roof space of the property at front and rear, to the front the houses are set approximately 22m away and to the rear are approximately 35m, the covered balcony is also set at approximately 35m and is considered to be appropriate in terms of the Councils current interface distances of 21m window to window.

The covered balcony is set back approximately 18m from the rear garden boundary with neighbouring dwellings on Sandham Grove, it is considered that this distance is sufficient to retain residential privacy both to the houses and the residential gardens.

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 amended scheme results in a development that is in keeping with the character of the area and will not result in an adverse impact in terms of loss of privacy to neighbouring properties. The proposal is considered acceptable having regard to Wirral's UDP Policy HS11 and 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The amended scheme results in a development that is in keeping with the character of the area and will not result in an adverse impact in terms of loss of privacy to neighbouring properties. The proposal is considered acceptable having regard to Wirral's UDP Policy HS11 and SPG11.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 17 November 2015 and listed as follows: 166_2015_02 Revision B (16.11.2015).

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

Last Comments By: 11/11/2015 10:38:19
Expiry Date: 19/11/2015

Planning Committee

17 December 2015

Reference:
APP/15/01317

Area Team:
South Team

Case Officer:
Mr N Williams

Ward:
Bebington

Location: Electronic Surgery, 12A THE VILLAGE, BEBINGTON, CH63 7PW
Proposal: Construction of a first floor rear extension above existing ground floor shops to create two residential units

Applicant: Mr & Mrs Morris
Agent : Lightblue Solutions Ltd

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area
Lower Bebington Conservation Area

Planning History:

Location: 12 The Village ,Bebington ,L63 7PW
Application Type: Full Planning Permission
Proposal: Installation of new shop front
Application No: APP/78/09599
Decision Date: 08/06/1978
Decision Type: Approve

Location: 12a The Village,Bebington,L63 7PW
Application Type: Full Planning Permission
Proposal: Change of use of rear storeroom to Sauna Solarium.
Application No: APP/81/18497
Decision Date: 25/06/1981
Decision Type: Conditional Approval

Summary Of Representations and Consultations Received:REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 7 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been no objections but one comment expressing concern over a potential worsening of parking problems.

Lower Bebington Society object to the proposal on the grounds that it would be detrimental to the conservation area as it is against the principles of the conservation which are to preserve all aspects of character and appearance of buildings with architectural or historic interest. They object also on the grounds it will likely lead to increased parking issues.

CONSULTATIONS

Head of Environment & Regulation (Pollution Control Division) - No objection

Head of Environment & Regulation (Traffic and Transportation Division) - No objection

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

Councillor Jerry Williams requested that the application be taken out of delegation on the grounds that it is inappropriate development in the Conservation Area.

INTRODUCTION

The application is for the construction of a first floor rear extension above existing ground floor shops to create two residential units.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable, subject to relevant policy guidelines.

SITE AND SURROUNDINGS

The premises is located within a Primarily Residential Area as set out in Wirral's Unitary Development Plan (UDP), and is also within the recently designated Lower Bebington Conservation Area - there is a Grade II Listed Building opposite the site.

The building contains three commercial units at ground-floor level, with a large roof void above. The area is largely residential, although there are some commercial uses within the wider area, including a public house (and associated car park) directly to the north of the site.

POLICY CONTEXT

The proposal to create two new flats is subject to Wirral UDP Policy HS4: Criteria for New Housing Development and Policy HS13: Self-Contained Flat Conversions. As the proposal is within Lower Bebington Conservation Area, the proposal is also subject to Wirral UDP Policy CH2: Development Affecting Conservation Areas, whilst the fairly close proximity of a listed building means that Policy CH1: Development Affecting Listed Buildings and Structures.

The National Planning Policy Framework (NPPF) is also relevant, in which there is a presumption in favour of sustainable development. In addition, the NPPF states that, in determining planning applications, Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

APPEARANCE AND AMENITY ISSUES

The creation of two new residential units is considered to be acceptable, in principle. The area is designated as a Primarily Residential Area and although there are some commercial units (including on the ground floor of the application premises), the addition of two new flats will be in keeping with the general residential nature of the area.

The proposal will introduce two small pane windows to the front elevation, inserted at first-floor level. These windows are required in order to provide sufficient outlook to the bedrooms of the proposed flats. Two conservation roof lights will also be inserted on the front roof plane, and these will be in line with the proposed pane windows. These alterations are considered to be acceptable and will have limited impact on the appearance of the building. There will be a minor alteration to the front elevation to accommodate entrances to both the shop units and the proposed flats. The premises will continue to appear as commercial units, and these alterations will therefore have minimal impact upon the overall appearance of the building, and little impact on the general character of the Lower Bebington Conservation Area, or on the nearby Grade II Listed Building.

The side elevation of the proposed extension will be partially visible on the street scene, especially from the north of The Village. However, it is proposed that the materials used will be reclaimed brickwork to match the existing, and this aspect of the proposal will therefore have minimal impact upon the character of the Conservation Area.

The rear elevation, where the proposed extension will be located, contains two gables with a tudor-style feature at the top of each gable, in an attempt to reflect the existing front elevation. Whilst these gables are not as steep as the originals to the front, it at least acknowledges and attempts to replicate the character of the existing building. This proposed extension will not be widely visible throughout the conservation area, or even on the general street scene, and this design is therefore considered to be acceptable.

Overall, the proposed development is only small in scale and will have limited visual impact upon the character and appearance of Lower Bebington Conservation Area, especially as the majority of the alterations are focussed on the rear of the existing building. The proposal is therefore considered to be acceptable and complies with Wirral Unitary Development Plan Policy HS4, HS13, CH1, CH2 and the National Planning Policy Framework.

SEPARATION DISTANCES

All required separation distances are complied with.

HIGHWAY/TRAFFIC IMPLICATIONS

The site is considered to be a sustainable location, and there are therefore no highway reasons to warrant refusal of the application.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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 will not harm residential amenity or the character and appearance of Lower Bebington Conservation Area, and is therefore considered to be acceptable and complies with Wirral Unitary Development Plan Policy HS4, HS13, CH1, CH2 and the National Planning Policy Framework.

Summary of Decision:

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

The proposal will not harm residential amenity or the character and appearance of Lower Bebington Conservation Area, and is therefore considered to be acceptable and complies with Wirral Unitary Development Plan Policy HS4, HS13, CH1, CH2 and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CH2 of the Wirral Unitary Development Plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 23rd September 2015 and listed as follows: LB151/01; LB151/02; LB151/03; LB151/04

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

4. Prior to commencement of development, a suitable noise insulation scheme between the ground floor and residential accommodation (adhering to 'Building Regulations Approved Document E - Resistance to the passage of sound') shall be submitted in writing to and approved by the Local Planning Authority, and the approved scheme shall be implemented in full prior to first occupation of the accommodation hereby permitted

Reason: In the interest of amenity

Further Notes for Committee:

Last Comments By: 19/11/2015 09:59:19

Expiry Date: 18/11/2015

Planning Committee

17 December 2015

Reference:
APP/15/01318

Area Team:
North Team

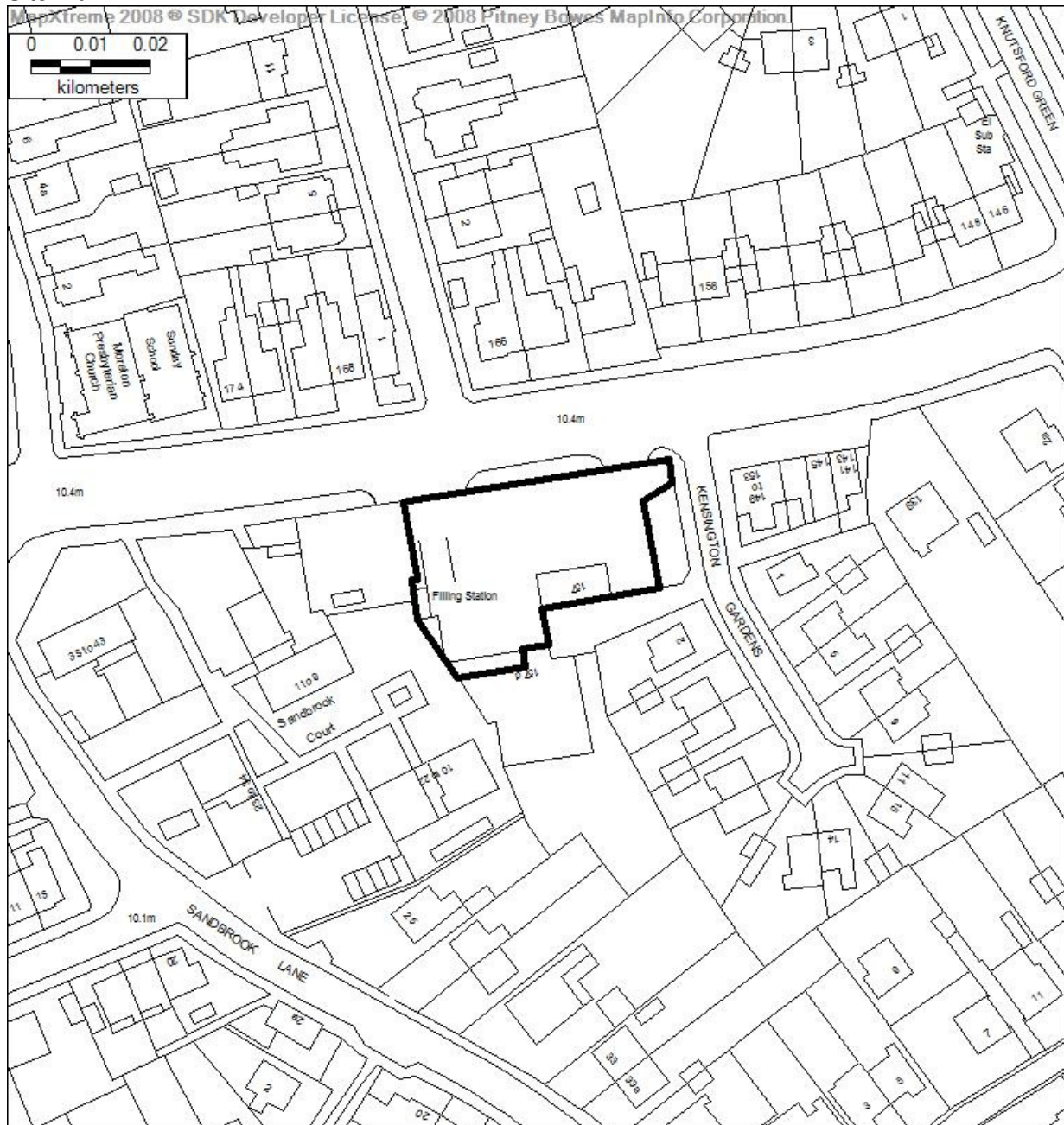
Case Officer:
Mr S Lacey

Ward:
**Leasowe and
Moreton East**

Location: Shell Petrol Station, 157 HOYLAKE ROAD, MORETON, CH46 9PZ
Proposal: Application to vary condition 2 attached to planning approval APP/92/05293 to allow 24 hour opening.

Applicant: Euro Garages Ltd.
Agent : GC Town & Country Planning

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

- Location: Atlantic Service Station, 157, Hoylake Road, Moreton. L46 9PZ
Application Type: Full Planning Permission
Proposal: Redevelopment of site with petrol filling station, erection of new shop and sales building, new pump islands and canopy, and installation of automatic car wash.
Application No: APP/91/06603
Decision Date: 04/10/1991
Decision Type: Approve
- Location: Atlantic Garage, 157, Hoylake Road, Moreton. L46 9PZ
Application Type: Full Planning Permission
Proposal: Installation of two 8,000 gallon and three 3,000 gallon underground petrol storage tanks.
Application No: APP/87/05766
Decision Date: 17/06/1987
Decision Type: Approve
- Location: Atlantic Garage, 157, Hoylake Road, Moreton. L46 9PZ
Application Type: Advertisement Consent
Proposal: Erection of an illuminated twin pole sign.
Application No: ADV/87/05605
Decision Date: 04/06/1987
Decision Type: Approve
- Location: Atlantic Service Station, 157, Hoylake Road, Moreton. L46 9PZ
Application Type: Advertisement Consent
Proposal: Erection of illuminated double sided pole sign, illuminated fascia signs and illuminated information sign.
Application No: ADV/92/05140
Decision Date: 06/03/1992
Decision Type: Approve
- Location: Telegraph Service Station, 157, Hoylake Road, Moreton. L46 9PZ
Application Type: Full Planning Permission
Proposal: Variation of condition No. 6 on planning approval notice App/91/6603/N to allow premises to be open between the hours 0800-2300 on Sundays and Bank Holidays.
Application No: APP/92/05293
Decision Date: 15/04/1992
Decision Type: Approve
- Location: 157, Hoylake Road, Moreton. L46 9PZ
Application Type: Full Planning Permission
Proposal: Alterations to external appearance.
Application No: APP/86/05618
Decision Date: 02/07/1986
Decision Type: Approve
- Location: 161, Hoylake Road, Moreton. L46 9PZ
Application Type: Full Planning Permission
Proposal: Erection of a pump kiosk, and boundary fencing to site.
Application No: APP/97/05416
Decision Date: 30/04/1997
Decision Type: Approve
- Location: Shell Moreton Petrol Station, 157 Hoylake Road, Moreton, Wirral, L46 9PZ

Application Type: Advertisement Consent
Proposal: Erection of illuminated and non illuminated signs.
Application No: ADV/98/05925
Decision Date: 31/07/1998
Decision Type: Approve

Location: Shell Moreton Petrol Station, 157 Hoylake Road, Moreton, Wirral, L46 9PZ
Application Type: Full Planning Permission
Proposal: Erection of vacuum, air, water facilities and two car parking spaces.
Application No: APP/98/05927
Decision Date: 28/08/1998
Decision Type: Approve

Location: Shell Petrol Station, 157 HOYLAKE ROAD, MORETON, CH46 9PZ
Application Type: Prior Approval of Telecommunications PD
Proposal: Installation of a dual user CU Phosco MK3 street pole radio base station mast, 1 No. shared radio equipment cabinet and 1 No. electrical metre next to the pole
Application No: ANT/12/00414
Decision Date: 25/04/2012
Decision Type: Refuse

Location: Atlantic Garage, 157, Hoylake Road, Moreton. L46 9PZ
Application Type: Full Planning Permission
Proposal: Redevelopment of existing petrol station.
Application No: APP/86/06088
Decision Date: 21/08/1986
Decision Type: Refuse

Location: 157 Hoylake Road (First Floor), Moreton, L46 9PZ
Application Type: Prior Approval of Telecommunications PD
Proposal: Change of use from flats to health clinic
Application No: ANT/81/17347
Decision Date: 19/02/1981
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 28 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 3 letters of objection have been received from Mr R Beccafichi of 160 Hoylake Road, Mr R Morgan of 162 Hoylake Road, and Mr K Robertson of 170 Hoylake Road. The objections can be summarised as follows:

1. The premises are already open 24 hours in breach of its current planning approval.
2. The properties opposite the service station are disturbed by car doors and vehicle movements in the early hours.
3. People visit the premises to make use of the shop and cash machine, not just to buy fuel. A condition should therefore be imposed restricting the sale of certain goods beyond 23:00 hours.
4. The extended opening hours has resulted in increased traffic movements along Hoylake Road through the night.
5. The use of the tannoy system during the night disturbs neighbouring residents
6. Delivery times should be restricted
7. There have been a number of accidents when vehicles have been entering or leaving the service station.
8. The development will affect the value of neighbouring properties.

CONSULTATIONS:

Head of Environment & Regulation (Pollution Control Division) - No objection.

Head of Environment & Regulation (Traffic & Transport Division) - No objection.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Blakeley has requested that the application be taken out of delegation because he considers that the application if approved will cause nuisance to local residents. Under the Council's current scheme of delegation the application must be submitted to planning committee.

INTRODUCTION

The application seeks to vary condition 2 attached to planning approval APP/92/05293 to allow 24 hour opening seven days a week.

Planning permission was granted under planning reference APP/91/06603 for the redevelopment of the site. Condition 6 attached to that approval restricted opening hours to 0700 to 2300 Monday to Saturday and 0900 to 1930 Sundays and bank holidays.

Planning permission was then granted under planning reference APP/92/05293 for the variation of condition 6 above to the following: "2. The premises shall only be open between the hours of 0700 to 2300 Monday to Saturday and 0800 to 2300 on Sundays and bank holidays."

The new owners of the site are currently operating in breach of condition 2 outlined above and this application is therefore retrospective.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable, subject to relevant policy guidelines.

SITE AND SURROUNDINGS

The site lies within an area designated as a Primarily Residential Area in Wirral's Unitary Development Plan. The service station is located on a classified road at the junction of Hoylake Road and Kensington Gardens. On the opposite side of the classified road there are domestic properties and a financial services premises. To the West of the site is a block of flats, screened by mature trees and to the East of the site is a row of shops. Directly to the rear of the service station is a car repair garage accessed from Kensington Gardens. The rest of Kensington garden is made up of domestic properties.

POLICY CONTEXT

The premises are an established service station in an area designated as a Primarily Residential Area in the UDP. The application will be assessed in accordance with Wirral's UDP Policy HS15 and the National Planning Policy Framework (NPPF).

Policy HS15 states; Within the Primarily Residential Areas as defined on the Proposals Map, 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

As outlined above the proposed variation of opening hours would see the service station open during night. The service station already benefits from planning permission to be open from 07:00 hours until 23:00 hours (8:00 hours until 23:00 hours Sundays and bank holidays). The additional hours of operation are at times when the level of use of the service station is likely to be low.

The houses on the opposite side of Hoylake Road, facing the service station are approximately 28 metres away from the petrol pumps on the fore court. Given the fact that Hoylake Road is a busy classified road providing a main transport route through that part of the Borough with vehicle movements continuing throughout the night, the Council does not consider that the extended opening hours will result in increased disturbance to these properties.

The nearest domestic property in Kensington Gardens is approximately 23m away from the nearest petrol pump and is separated from the site by the car repair garage and a 1.8m high brick wall. Given that the entrance to the service station is from Hoylake Road, the Council does not consider that the properties in Kensington Gardens will be adversely affected.

The flats to the West of the site have a dense and mature row of trees screening the site and will not be affected by the proposal.

In response to objections received from neighbouring residents that have not already been addressed above the Council would comment as follows:

The Town and Country Planning Act sets out that it is not an offence to carry out development before applying for planning permission retrospectively. This application has been determined under the same planning policies and material considerations that would apply to an application made before development was carried out. The decision by the land owner to open in breach of the current condition controlling the opening hours of the service station therefore has not had any effect on the Council's decision.

The shop at the service station is an ancillary element to the lawful use of the site as a service station. The Council does not consider it to be reasonable to impose a condition restricting the goods sold from the premises.

Both the Head of Environment & Regulation (Pollution Control Division) and the Head of Environment & Regulation (Traffic and Transportation Division) have been consulted with regards to the scheme and have raised no objection to the extension of opening hours having regards to the impact of the proposal on neighbouring properties or the impact upon the local highway having regards to traffic, highway safety and parking. A refusal on these grounds could therefore not be sustained.

It has not been considered necessary to restrict delivery times under any of the previous planning approvals for the site. This application raises no justifiable reason to impose a condition preventing deliveries to the site at certain times of the day or night.

The effect of a development on the value of neighbouring properties is not a planning matter.

The Council agrees that the use of the Tannoy system beyond 23:00 hours could potentially disturb neighbouring residents. It is therefore recommended that a condition be imposed preventing its use between the hours of 23:00 and 07:00. The Council does not consider that this would lead to health and safety issues that could not be resolved through alternative measures.

Having assessed the planning issues material to this application, the Council considers that the extended opening hours would not result in a detrimental change in the character of the area nor will it result in an increase in disturbance to neighbouring uses. The proposal therefore complies with Wirral UDP policy HS15 and the NPPF.

SEPARATION DISTANCES

Traditional separation distances do not apply in this instance. However, it is worth noting that the nearest residential property is approximately 23 metres from the service station.

HIGHWAY/TRAFFIC IMPLICATIONS

The Head of Environment & Regulation (Traffic and Transport Division) does not object to the proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The Head of Environment & Regulation (Pollution Control Division) does not object to the proposal.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The Council considers that the extended opening hours would not result in a detrimental change in the character of the area nor will it result in an increase in disturbance to neighbouring uses. The proposal therefore complies with Wirral UDP policy HS15 and 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The Council considers that the extended opening hours would not result in a detrimental change in the character of the area nor will it result in an increase in disturbance to neighbouring uses. The proposal therefore complies with Wirral UDP policy HS15 and the NPPF.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The amplified tannoy system shall not be used between the hours of 23:00 and 07:00.

Reason: In the interest of residential amenity.

Further Notes for Committee:

Last Comments By: 04/11/2015 14:56:26

Expiry Date: 20/11/2015

Planning Committee

17 December 2015

Reference:
APP/15/01349

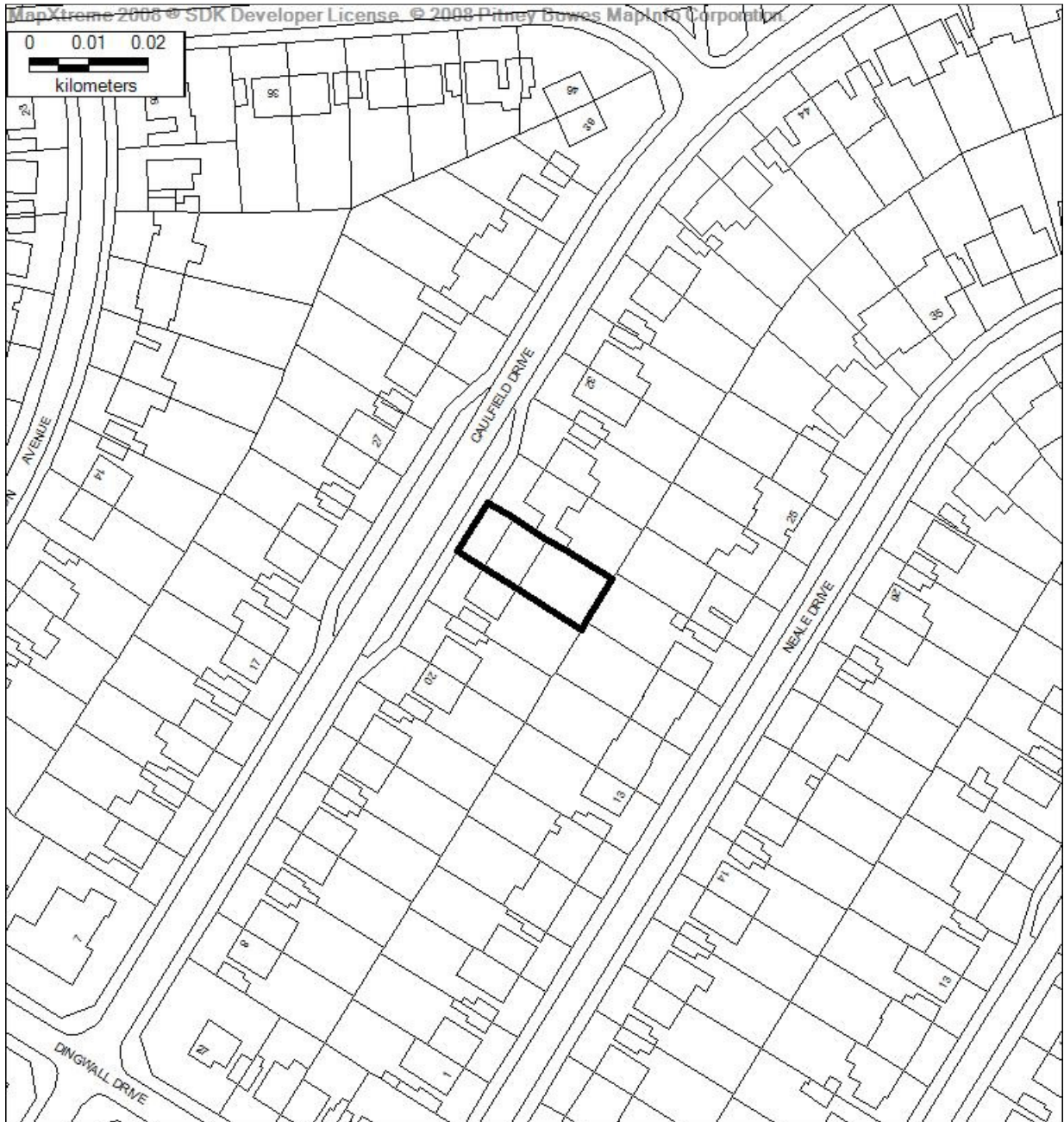
Area Team:
North Team

Case Officer:
Mrs MA Jackson

Ward:
**Greasby Frankby
and Irby**

Location: 26 CAULFIELD DRIVE, GREASBY, CH49 1SN
Proposal: Double storey side extension and single storey rear extension
Applicant: Mr Craig Brack
Agent : SDA Architecture & Surveying

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

None

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications 7 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report one objection has been received listing the following points:

1. Possible damage to existing garage.
2. Encroachment
3. Right to be able to extend their house in the future.

Director's Comments:

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. Therefore, under the provisions of the Scheme of Delegation for Determining Planning Applications, this application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is seeking planning permission for a two storey side extension and single storey rear extension.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to Policy HS11 of Wirral's Unitary Development Plan, SPG11 and the provisions of the National Planning Policy Framework.

SITE AND SURROUNDINGS

The site comprises of a semi-detached property in an area of mixed design. The house has a single garage to the side elevation and is a half brick, half white render style. To the front is a recessed porch area, blocked pavement driveway with off road parking and a small garden. The neighbouring property has a garage that is set further back from the applicant's garage, both have similar designed driveways. Some of the properties in the street scene benefit from extensions both single storey side extensions and also two storey side extensions. The dwelling is situated in a primarily residential area. The proposed site has a good sized rear garden.

POLICY CONTEXT

The application property is located within a Primarily Residential Area. The proposal is assessed against the National Planning Policy Framework, which states that proposals should reflect good design as this is important in achieving sustainable development and should contribute positively to making places better for people.

Wirral Unitary Development Plan Policy HS11 relates to house extensions and states that proposals should be designed in such a way as to have no significant adverse effect on the appearance of the original property the character of the area in general or impact on the amenities of the occupiers of neighbouring properties in particular through overlooking, or an adverse effect on the area in general. Wirral Unitary Development Plan Policy Supplementary Planning Guidance states that two storey side extensions there is a risk that the extension will create a terraced appearance or will appear out of scale with the original dwelling. In order to...respect the character and scale of the original house, the following criteria should be met:- 'The width of the extension should be set back from the front of the dwelling by 1 metre and should have a lower ridge height;'

APPEARANCE AND AMENITY ISSUES

The property is semi-detached with the first storey having a white rendered scheme. The proposed development is for a two storey side extension and rear single storey extension. The two storey side

extension will replace the existing garage. The Agent submitted an earlier proposal with no drop in the ridge level that is suggested within Wirral Unitary Development Plan Policy SPG and no first floor setback. After discussions the original plan was superseded. The extension measures approximately 3.8 metres in width to the widest point and 5.3 metres in height to the eaves and also projects the full length of the house. The front bedroom will achieve a setback of 1 metre. The roof will have a lower ridge making it subordinate in appearance to the existing property. It is considered that the redesign of the plans now achieves compliance with the planning policies. The proposed single storey rear extension is to extend the kitchen area and extends approximately 2.025 metres from the original rear elevation. The rear extension will be 3 metres to the eaves and will be set in matching materials to the original property. It is deemed that the extensions do not dominate or appear overbearing to the original dwelling and therefore overall the design of the extension has been reasoned to be acceptable. It is therefore regarded that the extension is not considered to appear unneighbourly or visually obtrusive.

A representation was received from 28 Caufield Drive stating that whilst not against the redevelopment of the property the extension will encroach on property. (Following this representation the Agent signed Certificate B). Also damage to their existing garage could be made as the extension would impact on footings for the existing garage. It is not considered a planning matter regarding encroachment or Third Party Wall Act when evoked is a civil matter between neighbours and not something considered through planning. Additionally the letter contains a comment regarding the objector being able to extend their home in the future within their owned land. If a planning application is received at some future date, this would be assessed on its own merits and this application would not prejudice the objectors planning application. The general principles of Policy HS11 and SPG11 are that extensions should not over dominate the existing property and not be so extensive as to be unneighbourly. The existing house is capable of being extended, as have others in the area. The proposed extensions are considered to be comfortably accommodated well within the plot without detracting from the character of the area. The proposed extensions are not considered to have an adverse impact on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy. The application is considered acceptable.

SEPARATION DISTANCES

SPG11 states that 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, the window in the neighbouring extension is not considered a main habitable room. There are no windows to be installed in the side elevation, the proposal is therefore not considered to result in direct overlooking.

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.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered to have an adverse impact on the amenities which the occupiers of the neighbouring properties can reasonably expect to enjoy in terms of loss of privacy or outlook. The proposed extension is not considered detrimental to the character of the area or the character of the host dwelling. The proposal is acceptable in terms of scale and design, complies with the provisions of Policy HS11 of the adopted Wirral Unitary Development Plan, SPG11 and the provisions of the National Planning Policy Framework.

Summary of Decision:

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

The proposal is considered acceptable in appearance and scale and is not considered to have any detrimental impact on the amenity of properties or the character of the area. The proposal is considered acceptable under the National Planning Policy Framework. - Requiring Good Design, HS11 - House Extensions and SPG11 and is therefore considered acceptable.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 09/10/2015 and listed as follows: Amended plan 207_2015_01 revision C, 09.10.2015, Amended plan 207_2015_02 revision E, 05.11.2015.

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

Further Notes for Committee:

Last Comments By: 10/11/2015 10:34:20
Expiry Date: 04/12/2015

Planning Committee

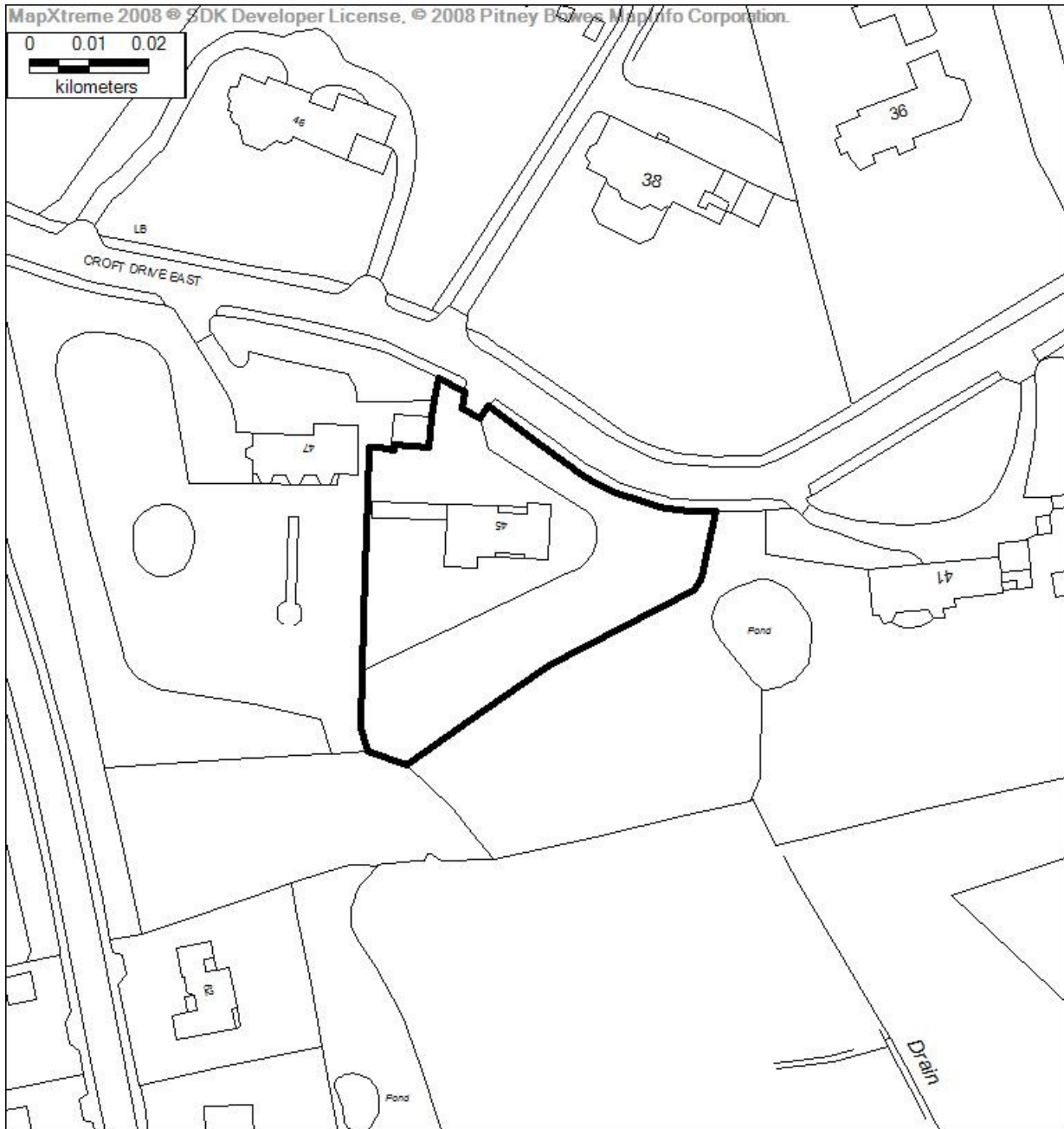
17 December 2015

Reference: APP/15/01375 **Area Team:** North Team **Case Officer:** Miss A McDougall **Ward:** West Kirby and Thurstaston

Location: Cuckoos Flight, 45 CROFT DRIVE EAST, CALDY, CH48 1LX
Proposal: Remodelling of existing dwelling including, extension, with front dormers and remodelled entrance, loft conversion and internal alterations

Applicant: Mr & Mrs Jacobie
Agent : Kettle Design

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Conservation Area (for illustrative purposes)
Density and Design Guidelines Area
Primarily Residential Area

Planning History:

No planning history

Summary Of Representations and Consultations Received:REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 7 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 1 objection has been received from 38 Croft Drive East, listing the following grounds:

1. reduce privacy
2. scale of the extension
3. proximity to no.47

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Caldy Conservation Advisory Committee - Scale of the extension is excessive having regard to the plot

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

Councillor Watt has requested the application be taken out of delegation due to the size, scale and overdevelopment of the plot.

INTRODUCTION

The proposal is for the remodelling of the existing dwelling to include extension, front dormer windows, remodelled entrance, loft conversion and associated internal alterations.

The planning application has been amended following consultation with the agent in order to improve outlook and protect privacy.

PRINCIPLE OF DEVELOPMENT

The property is an existing house of no architectural merit located within Caldly Conservation Area, the principle of extending and remodelling the house is acceptable.

SITE AND SURROUNDINGS

The property is a detached house set on a substantial plot, the existing property is two storey and has a swimming pool development to the side along the boundary with no.47, the plots have large frontages and the houses are set good distanced from one another, with the exception of no.45 and 47, no.47 has recently had an approval to replace the building including large sections that adjoin the boundary with no.45.

The plots are well screened from the highway of Croft Drive East due to the mature boundary treatment and the set back from the front boundary, no.45 is set at an angle and approximately 20m back. The proposed extension seeks to redevelop the existing house and utilise the built up area around the existing swimming pool.

POLICY CONTEXT

The property is a detached house located within the designated Conservation Area, Caldly Village Density and Design Guidelines Area Zone 1 and the designated Primarily Residential Area and will be assessed in accordance with Policies CH11, HS11 and SPG8 (Zone 1).

Policy CH11 states; In relation to Caldly Conservation Area the principal planning objectives for the area

will be to:

- (i) retain the character of a low density, maturely landscaped suburb with substantial houses in large grounds;
- (ii) retain the unifying features of design, layout and building materials within the old village core;
- (iii) preserve the unity of strongly enclosed boundary treatment incorporating high walls, dense landscaping or dark-stained, close-boarded, timber fences in the area outside the old village core; and
- (iv) preserve, wherever practicable, views of the Dee Estuary and of the North Wales coast beyond.

Only primarily residential uses will be permitted within this Area.

Policy HS11 states; 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.

SPG8 Zone 1 states; The core of the village, its character is best protected by limiting densities to 2.5 dwellings per hectare.

APPEARANCE AND AMENITY ISSUES

The proposed remodelling of the dwelling will alter the external appearance of the dwelling, to the front the dwelling will retain the angle and the majority of the footprint, with the exception of the extensions, the front will include a central entrance feature that will improve the frontage design of the house and allow for additional internal floor space. The roof will be raised from 9.2m to 9.5m and will be pitched from the front with the rooms at first floor utilising dormer windows, to the rear the extensions on the main portion of the house will be three-storey and the central section will include covered balconies. This section of the remodelled dwelling will have a minimal impact onto the character of the street scene or the neighbouring properties, subject to the right finish and materials the house when viewed at this

point will not have an adverse impact onto the character of the conservation area or its continued preservation.

The main additional bulk of building work that is to be introduced is the removal of the boat house, outbuildings, covered area and pool and its replacement with a two-storey extension that will provide an indoor pool, associated facilities and two guest bedrooms to the front. In terms of Policy CH1 1, the siting of the extension follows the established built relationship with the neighbouring house. The extension has been designed to include a low sloping roof to the rear, this reduces the mass of the extension in relation to the boundary of no.47, the main pitch of the roof is 7.8m sloping down to the rear, the eaves height is 2.3m, the bulk of the extension roof is set relatively low and is the majority of the roof mass.

The extension projects further forward than the main building line of the house however the extension has a lower height and due to the curve of the road and the vehicle entrance point the structure will be well screened and set at an angle to the road. This section of the plans has been amended, no.47 has a large detached garage fronting the proposed extension, the windows proposed would therefore not meet the separation distances, the revised plans now include oriel windows with outlook set to the north east, the glazing panel to the north-west will be fixed and obscurely glazed. This element of the building is sited within close proximity to no.47 however the low sloping design of the roof (eaves height is 2.3m), the scale of the building at no.47 and the mature boundary will lessen any harmful impact.

Concerns have been raised regarding the proximity of the property to neighbouring houses, the properties opposite are located approximately 50m away, to the rear is garden and then land forming part of the Golf Course. Concerns have also been raised with regards to density, having regard to SPG8 the proposal is not for an additional dwelling, the plot is an existing residential plot and the proposal is for extensions to this plot in terms of the criteria set out in SPG8 Zone 1, the application complies.

The plot is of a scale and orientation that can withstand a building of this scale, the remodelled dwelling will improve a building that currently has a neutral impact onto the conservation area.

SEPARATION DISTANCES

Due to the scale of the plot and the oriel windows proposed, the proposed development as amended meets the Council's separation distances of 21m window to window.

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

It is considered that the plot can withstand an extension of this scale without having an adverse impact onto the character of the conservation area, the street scene or existing neighbouring residential amenity having regard to Wirral's UDP Policies CH11, HS11 and SPG8.

Summary of Decision:

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

It is considered that the plot can withstand an extension of this scale without having an adverse impact onto the character of the conservation area, the street scene or existing neighbouring residential amenity having regard to Wirral's UDP Policies CH11, HS11 and SPG8.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the

date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 1 December 2015.

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

3. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CH11 of the Wirral Unitary Development Plan.

4. On insertion, the three oriel windows as shown on the hereby approved plans shall contain fixed and obscure glazing to the north-west panel and retained as such thereafter.

Reason: Having regard to residential amenity and outlook.

5. NO DEVELOPMENT SHALL COMMENCE ON SITE until details of the stopping up of all existing accesses rendered obsolete by the development hereby approved, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. Such stopping up shall include for all footways to be reinstated to standard footway levels. The stopping up shall take place in accordance with the approved details within three months of the first occupation of the development.

Reason: In the interests of highway and pedestrian safety having regards to Policy HS11 of the Wirral Unitary Development Plan.

Last Comments By: 29/11/2015 17:19:23

Expiry Date: 21/12/2015

This page is intentionally left blank

Planning Committee

17 December 2015

Reference:
APP/15/01467

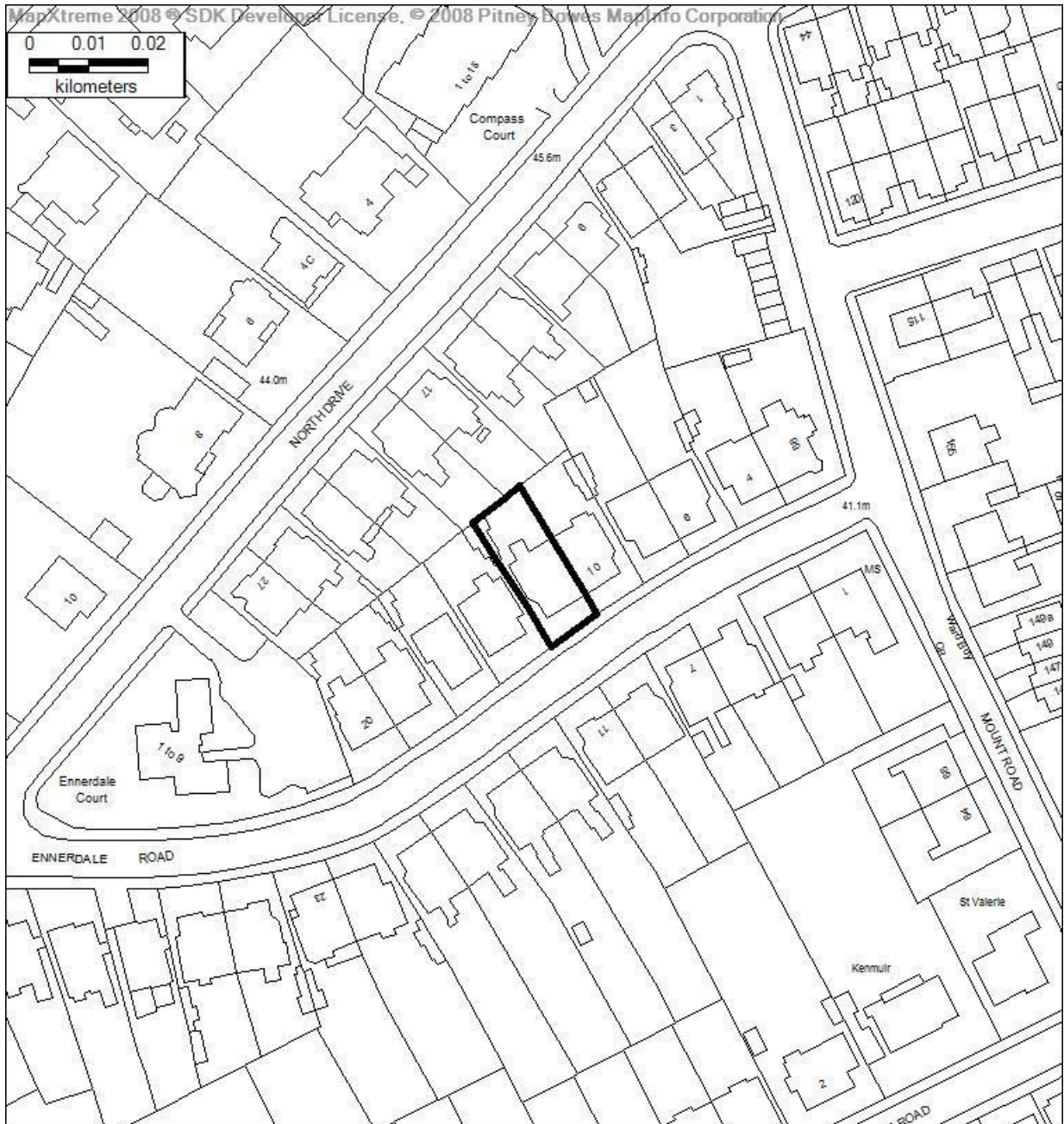
Area Team:
North Team

Case Officer:
Mr P Howson

Ward:
Wallasey

Location: 12 ENNERDALE ROAD, NEW BRIGHTON, CH45 0LY
Proposal: Loft conversion for an additional self-contained flat with associated off street parking
Applicant: Mr J Hyde
Agent : C C Gladding Architects

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: 12 ENNERDALE ROAD, NEW BRIGHTON, CH45 0LY
Application Type: Full Planning Permission
Proposal: Formation of additional 2 bedroom flat in loft area
Application No: APP/15/01179
Decision Date: 19/10/2015
Decision Type: Withdrawn

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 9 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing a qualifying petition of objection signed by 25 signatures has been received. The objections are summarised as follows:

1. Impact on the local area - conversion of houses to flat changes the character of the area;
2. Associated parking issues - limited parking and an additional flat would exacerbate parking problems in the road

Councillor Leslie Rennie also objects to the proposals and supports the objections raised by local residents in relation to parking problems and detrimental impact on the character of the area.

CONSULTATIONS

Head of Environment & Regulation (Traffic and Transportation Division) - No Objections

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

A qualifying petition of objection signed has been received. Therefore the application is required to be considered and determined by the Planning Committee.

INTRODUCTION

This application is a resubmission of a previously withdrawn application APP/15/01179. The scheme proposes the formation of an additional 2 bedroom flat within the loft space of No. 12 Ennerdale Road, New Brighton.

Over the course of this application amended plans were received addressing concerns over vehicle parking and highway safety. Amended plans were submitted and the issues subsequently resolved.

PRINCIPLE OF DEVELOPMENT

The application is for the formation of an additional self-contained flat within an existing residential property within a Primarily Residential Area and is therefore considered acceptable in principle.

SITE AND SURROUNDINGS

The application property comprises of a large semi-detached two and a half storey residential dwelling sited within a regular plot with areas of both front and rear amenity space. The property in question is traditionally constructed with large ground to first floor bay windows and front gable.

Ennerdale Road is comprised of detached and semi-detached dwellings constructed within close proximity to one another at regular intervals along the street. Properties are typically accessed via a side entrance with a number of dwellings within the street having been subdivided into individual apartments with additional rear access.

POLICY CONTEXT

The National Planning Policy Framework (NPPF) provides for a presumption in favour of sustainable development which encompasses good design.

Policy HS13: Self-Contained Flat Conversions of the Wirral UDP permits the conversion of existing buildings into self-contained flats subject to the scheme not resulting in overlooking of habitable room windows, access afforded within the main structure of the building, any new windows from habitable rooms, kitchens or bedrooms not overlooking adjoining properties to an unacceptable degree, adequate sound proofing between flats and main living rooms having a reasonable outlook and not lit solely by roof lights.

Policy TR9: Requirements for Off-Street Parking states that in the assessment of off-street parking associated with new development the Local Planning Authority will need to consider the availability of alternative modes of transport and the operational minimum and maximum level of car parking associated with the proposed development.

The Supplementary Planning Guidance: Designing for Self Contained Flat Development and Conversions sets out a number of criteria for new residential development with regard had to design, layout, privacy and daylight.

Supplementary Planning Guidance: Parking Standards

APPEARANCE AND AMENITY ISSUES

This application proposes the conversion of the loft space of No. 12 Ennerdale Road into an additional 2 bedroom flat.

The Supplementary Planning Guidance for Flat Conversions requires the habitable rooms to have reasonable outlook and the internal layout to be orientated as such so that rooms of a similar use are stacked over one another to reduce sound transmission.

The scheme proposes an additional rear dormer which would be sited adjacent to an existing dormer window. The proposed dormer would be situated approximately 26 metres from the rear of the adjacent properties which front North Drive and is therefore not considered to result in significant levels of overlooking and is acceptable in this respect. The application provides habitable rooms with sufficient outlook whilst the applicant has stacked rooms of a similar use above one another and the proposal is acceptable in this respect.

The proposed apartment would be accessed via an existing rear staircase which services the first floor apartment and, as such, it is not considered that the introduction of additional living accommodation would result in significant levels of overlooking over and above than what is existing and the scheme is considered acceptable and in accordance with Policy HS13 (criterion ii) in this respect.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

The application proposes a single off street vehicle parking space.

The Supplementary Planning Guidance (SPG) on Parking Standards states maximum parking standards of one space per self-contained flat. Whilst the application does not meet the requirements of the SPG of parking standards these are maximums and as such does not warrant refusal in this instance whilst the Head of Environment & Regulation (Traffic and Transportation Division) has raised no objections to the proposal. In addition the applicant has included an area of secure cycle parking and a condition has been imposed to this affect.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed change of use is considered acceptable in principle and will not have a significant adverse impact upon the character and appearance of the area or the amenity of the neighbouring properties. The application is considered to be in accordance with Policy HS13 of Wirral's Unitary Development Plan and the Supplementary Planning Guidelines: Designing for Self Contained Flat Development, Parking Standards and the National Planning Policy Framework.

Summary of Decision:

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

The proposed change of use is considered acceptable in principle and will not have a significant adverse impact upon the character and appearance of the area or the amenity of the neighbouring properties. The application is considered to be in accordance with Policy HS13 of Wirral's Unitary Development Plan and the Supplementary Planning Guidelines: Designing for Self Contained Flat Development, Parking Standards and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 4 November 2015 and listed as follows: 2346/1a and Site Location Plan 1:1250

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

3. Prior to first occupation the second floor side elevation window(s) shown on drawing No. 2346/1a shall not be glazed otherwise than with obscured glass and non-opening up to 1.7 metres from the internal finished floor level and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS11 of the Wirral Unitary Development Plan.

4. 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.

Further Notes for Committee:

Last Comments By: 07/12/2015 11:36:35

Expiry Date: 30/12/2015

Planning Committee

17 December 2015

Reference:
COMX/15/01470

Area Team:
North Team

Case Officer:
Miss A McDougall

Ward:

Wallasey

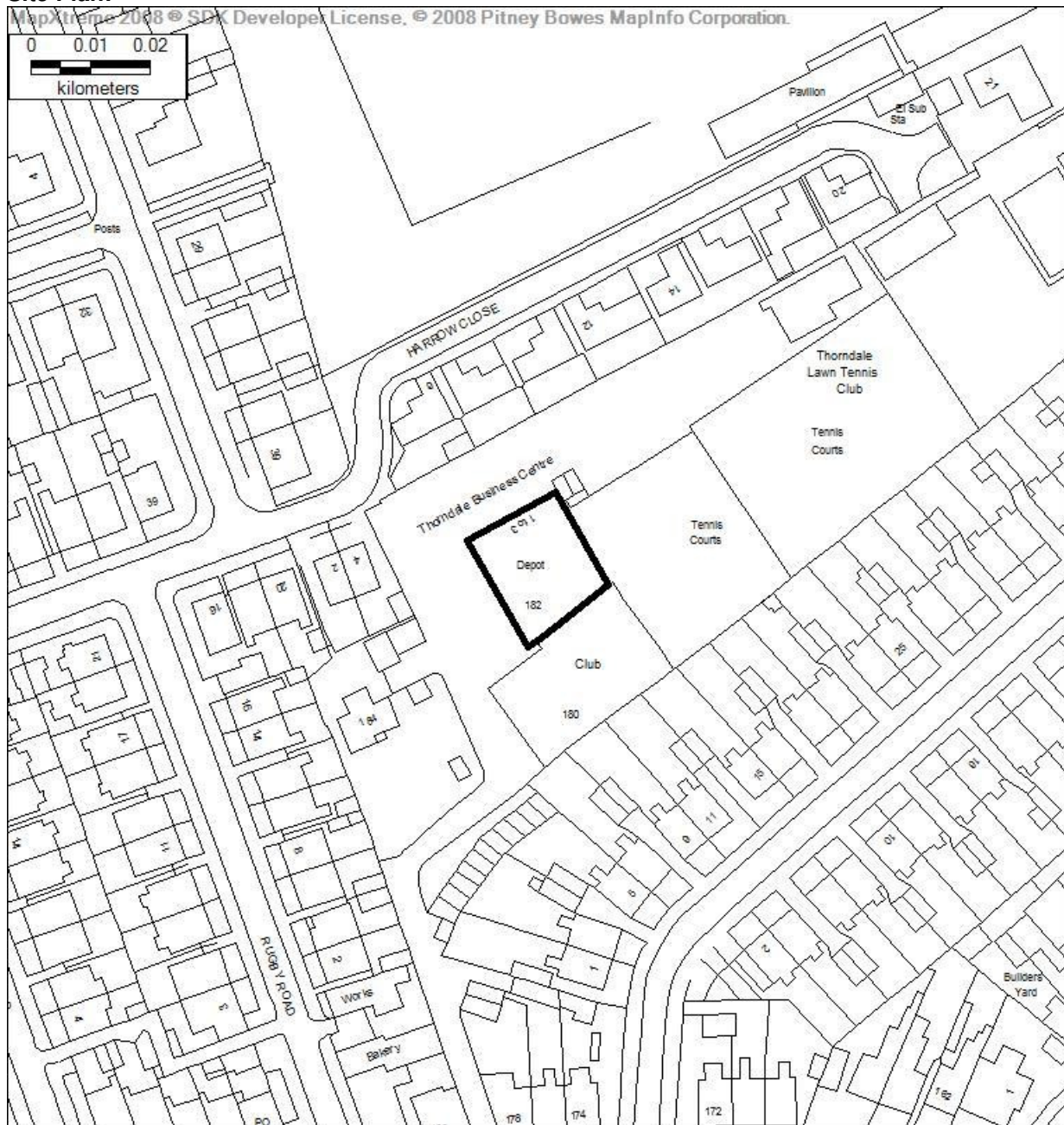
Location: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD, CH44 2AG

Proposal: Notification for Prior approval for a change of use from storage or distribution buildings (class B8) and any land within its curtilage to 6 flats (class C3)

Applicant: Mr Ian McIver

Agent: N/A

Site Plan:



© Crown copyright and database rights 2015 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: THORNDALE BUSINESS CENTRE, 182 WALLASEY ROAD, LISCARD,
CH44 2AG

Application Type: Full Planning Permission

Proposal: Demolition of existing building and erection of a 3 storey building
accommodating 4 apartments

Application No: APP/15/00404

Decision Date: 10/08/2015

Decision Type: Withdrawn

Summary Of Representations and Consultations Received:REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 10 notifications were sent to adjoining properties. At the time of writing this report a petition of objection was received and 11 objections have been received, listing the following grounds:

1. highway, access, parking.
2. flooding and damage to playing fields/courts
3. impact onto businesses

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Head of Environment & Regulation (Pollution Control Division) - No Objections

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

The Council has received a petition of objection containing 174 separate signatures.

INTRODUCTION

The proposal is notification for Prior-Approval for a change of use from storage or distribution (Class B8) to dwellinghouses (Class C3).

SITE AND SURROUNDINGS

The application site is located within the Primarily Residential Area, the site does not fall within and of the categories set out in P.1.

POLICY CONTEXT

The application is for Prior-Approval for a Change of Use from Industrial to Residential and will be assessed in accordance with the conditions set out in the General permitted Development Order Part 3 Class P which states;

Class P – storage or distribution centre to dwellinghouses

Permitted development

P. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B8 (storage or distribution centre) of the Schedule to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development not permitted

P.1 Development is not permitted by Class P if:

- (a) the building was not used solely for a storage or distribution centre use on 19th March 2014 or in the case of a building which was in use before that date but was not in use on that date, when it was last in use;

- (b) the building was not used solely for a storage or distribution centre use for a period of at least 4 years before the date development under Class P begins;
 - (c) the use of the building falling within Class C3 (dwellinghouses) of that Schedule was begun after 15th April 2018;
 - (d) the gross floor space of the existing building exceeds 500 square metres;
 - (e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;
 - (f) less than 1 year before the date the development begins:
 - i. an agricultural tenancy over the site has been terminated, and
 - ii. the termination was for the purpose of carrying out development under this Class, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural purposes;
 - (g) the building is within—
 - i. an area of outstanding natural beauty;
 - ii. an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(a);
 - iii. the Broads; or
 - iv. a National Park;
 - v. a World Heritage Site;
- the site is, or forms part of—
- i. a site of special scientific interest;
 - ii. a safety hazard area;
 - iii. a military explosives storage area;
 - iv. the building is a listed building or is within the curtilage of a listed building; or
 - v. the site is, or contains, a scheduled monument.

Conditions

Development is permitted by Class P subject to the condition that before beginning the development, the developer must:

- a. submit a statement, which must accompany the application referred to in paragraph (b), to the local planning authority setting out the evidence the developer relies upon to demonstrate that the building was used solely for a storage or distribution centre use on the date referred to in paragraph P.1(a) and for the period referred to in paragraph P.1(b);
- b. apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:
 - i. impacts of air quality on the intended occupiers of the development;
 - ii. transport and highways impacts of the development,
 - iii. contamination risks in relation to the building,
 - iv. flooding risks in relation to the building,
 - v. noise impacts of the development, and
 - vi. where the authority considers the building to which the development relates is located in an area that is important for providing storage or distribution services or industrial services or a mix of those services, whether the introduction of, or an increase in, a residential use of premises in the area would have an adverse impact on the sustainability of the provision of those services, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Interpretation of Class P

P.3 For the purposes of Class P “curtilage” (except in paragraph P.1(i)) means—

- a. the piece of land, whether enclosed or unenclosed, immediately beside or around the building in storage or distribution centre use, closely associated with and serving the purposes of that building, or
- b. an area of land immediately beside or around the building in storage or distribution centre use no larger than the land area occupied by the building, whichever is the lesser; “general industrial use” means a use falling within Class B2 (general industrial) of the Schedule to the Use Classes Order; “industrial services” means services provided from premises with a light industrial use or general industrial use; “light industrial use” means a use falling within Class B1(c) (light industrial) of the

Schedule to the Use Classes Order; "storage or distribution centre use" means a use falling within Class B8 (storage or distribution) of the Schedule to the Use Classes Order; and "storage or distribution services" means services provided from premises with a storage or distribution centre use.

APPEARANCE AND AMENITY ISSUES

The proposal is notification of prior-approval to change the use of existing B8 to C3, the applicant has confirmed that the building measures less than 500m² and has provided a supporting statement outlining a valuation that was undertaken on the premises in 2006 that confirms the use is a warehouse.

As part of the prior-approval process, the Councils Traffic Management and Environmental Health Teams have been notified, neither have raised objections to the proposed development in relation to air quality, highway safety, contamination or noise.

The building is not located within a flood risk zone and the land use allocation is residential therefore in terms of P.2 of Class P, the change of use falls within the categories of Class P and therefore Prior Approval is not required.

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

It is considered that the development falls within the remits of Part 3 Class P and Prior-Approval in this instance is not required.

Summary of Decision:

Having regards to the individual merits of this application the decision to that Prior Approval is Not Required has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the development falls within the remits of Part 3 Class P and Prior-Approval in this instance is not required.

Recommended Decision: **Prior approval is not required**

Recommended Conditions and Reasons:

1. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

Last Comments By: 30/11/2015 10:58:23
Expiry Date: 30/12/2015

Application No.: ADV/15/00476 **Application Type:** Advertisement Consent
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 02/12/2015 **Decision:** Refuse
Case Officer: Mr S Lacey
Applicant: **Agent:** RJCrosbie
Location: Corazon Tattoos, 28-30 BROMBOROUGH VILLAGE ROAD, BROMBOROUGH, CH62 7ES
Proposal: Retention of externally illuminated advertisement

Application No.: APP/15/00508 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 02/12/2015 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mrs C Furber **Agent:** C W Jones
Location: LAND ADJACENT TO 3 MORPETH ROAD, HOYLAKES, CH47 4AT
Proposal: Erection of a detached house (Amendment to application ref 14/01243) AMENDED PLANS change to the design of the house.

Application No.: APP/15/00688 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 19/11/2015 **Decision:** Refuse
Case Officer: Mr K Spilsbury
Applicant: Mr P Graves **Agent:** SDA Architecture & Surveying
Location: 34 GREENVILLE CLOSE, BEBINGTON, CH63 7SD
Proposal: Erection of a two-storey detached house

Application No.: APP/15/00776 **Application Type:** Full Planning Permission
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 27/11/2015 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:**
Location: Land adjacent to former Seven Stiles, UPTON ROAD, NOCTORUM, CH43 9RW
Proposal: The erection of a two-storey veterinary surgery and associated boundary treatments, including some residential accommodation for staff attending animals requiring 24 hour care

Application No.: ADV/15/00777 **Application Type:** Advertisement Consent
Ward: Bidston and St James **Decision Level:** Delegated
Decision Date: 27/11/2015 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:**
Location: Land adjacent to former Seven Stiles, UPTON ROAD, NOCTORUM, CH43 9RW
Proposal: Installation of two signs on new veterinary surgery building

Application No.: APP/15/01135 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Mr & Mrs Watters **Agent:** JIG Architects Ltd.
Location: Richmond Hall, SCHOOL HILL, HESWALL, CH60 0DP
Proposal: Convert old school to a dwelling

Application No.: APP/15/01176 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 13/11/2015 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mr Roy Ewart **Agent:**
Location: 69A WARREN DRIVE, NEW BRIGHTON, CH45 0JP
Proposal: Raised rear roof gable to incorporate french doors opening on to a small rear balcony / roof terrace above the ground floor rear vestibule.

Application No.: APP/15/01186 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 13/11/2015 **Decision:** Approve
Case Officer: Mrs S Day
Applicant: Mr R McClaughlin **Agent:** Platt White Partnership
Location: 2 OAKLANDS DRIVE, HESWALL, CH61 6UU
Proposal: New detached dwelling in side garden on existing property

Application No.: APP/15/01189 **Application Type:** Full Planning Permission
Ward: Upton **Decision Level:** Delegated
Decision Date: 19/11/2015 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mrs Diane Carlton **Agent:**
Location: 116 NORWICH DRIVE, UPTON, CH49 4GD
Proposal: Retention of boundary wall

Application No.: APP/15/01196 **Application Type:** Full Planning Permission
Ward: New Brighton **Decision Level:** Delegated
Decision Date: 17/11/2015 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mrs Anna Smith **Agent:**
Location: 7 Marine Point, KINGS PARADE, NEW BRIGHTON, CH45 2PB
Proposal: Retrospective installation of electrical plant at the rear of the unit 7

Application No.: APP/15/01277 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 18/11/2015 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: **Agent:** CBRE
Location: Glegg Arms, CHESTER ROAD, GAYTON, CH60 3SD
Proposal: Two storey side extension to existing hotel (Class C1) to create 24 additional new rooms (87 in total) and ancillary services, removal of one TPO tree (ref T1) and crown lifting to six no. TPO trees (ref A1)

Application No.: APP/15/01278 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 25/11/2015 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Mrs Nicky Schofield **Agent:** Collins Architecture
Location: 4 LIME TREE GROVE, BARNSTON, CH60 1US
Proposal: Single storey side/rear extension incorporating the existing rear extension with new roof to both.

Application No.: APP/15/01285 **Application Type:** Full Planning Permission
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 13/11/2015 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Simpson **Agent:** AGD Architectural Ltd
Location: 12 CORONA ROAD, NEW FERRY, CH62 4SE
Proposal: Side extension

Application No.: APP/15/01290 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 20/11/2015 **Decision:** Approve
Case Officer: Mrs MA Jackson
Applicant: Miss H Reynolds **Agent:** KJP Architecture
Location: 23 BROXTON AVENUE, WEST KIRBY, CH48 5JA
Proposal: Single storey rear extension and internal alterations

Application No.: APP/15/01291 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 13/11/2015 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr Alex Price **Agent:** Mr Cliff Elliott
Location: 16 GRANGE ROAD, HESWALL, WIRRAL, CH60 7RZ
Proposal: Single storey extension to side elevation (west), 2-storey extension to opposite (east) elevation.

Application No.: APP/15/01292 **Application Type:** Full Planning Permission
Ward: Eastham **Decision Level:** Delegated
Decision Date: 24/11/2015 **Decision:** Withdrawn
Case Officer: Mrs MA Jackson
Applicant: Mrs Norma Pearson **Agent:** R L Allen Draughtsmen
Location: 18 PICKMERE DRIVE, EASTHAM, CH62 9EW
Proposal: Single storey side extension

Application No.: APP/15/01298 **Application Type:** Full Planning Permission
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 13/11/2015 **Decision:** Approve
Case Officer: Mr K Spilsbury
Applicant: Mr D Lindfield **Agent:**
Location: 17 GUFFITTS RAKE, MEOLS, CH47 7AH
Proposal: Front hallway and cloakroom extension at ground floor

Application No.: APP/15/01299 **Application Type:** Full Planning Permission
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 17/11/2015 **Decision:** Refuse
Case Officer: Mrs MA Jackson
Applicant: Mr G Manktelow **Agent:** Bryson McHugh Architects
Location: 11 VICTORIA MOUNT, OXTON, CH43 5TH
Proposal: Loft conversion with side and rear dormer extensions

Application No.: APP/15/01300 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 17/11/2015 **Decision:** Approve
Case Officer: Mrs S Day
Applicant: Mr Peter Thorne **Agent:**
Location: 36 MARTIN CLOSE, IRBY, CH61 0HP
Proposal: Erection of first floor rear extension.

Application No.: APP/15/01301 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Paul Jones **Agent:** C W Jones
Location: Byways, QUAKER LANE, HESWALL, CH60 6RD
Proposal: First floor side extension, two storey side and single storey side and rear extension.

Application No.:	APP/15/01302	Application Type:	Full Planning Permission
Ward:	Birkenhead and Tranmere	Decision Level:	Delegated
Decision Date:	13/11/2015	Decision:	Approve
Case Officer:	Mr P Howson		
Applicant:		Agent:	Bryson McHugh Architects
Location:	36-38 GRANGE ROAD WEST, BIRKENHEAD, CH41 4DA		
Proposal:	Change of Use from A1 to Two Self-Contained Two Bedroomed Apartments C3 Including the erection of an external staircase		
Application No.:	APP/15/01303	Application Type:	Full Planning Permission
Ward:	Moreton West and Saughall Massie	Decision Level:	Delegated
Decision Date:	19/11/2015	Decision:	Refuse
Case Officer:	Mr N Williams		
Applicant:	Mr Roy Shuttleworth	Agent:	Mr Mark Bathgate
Location:	3 -5 OVERCHURCH ROAD, UPTON, CH49 4RQ		
Proposal:	The construction of two new houses attached to each end of existing houses		
Application No.:	APP/15/01304	Application Type:	Full Planning Permission
Ward:	Liscard	Decision Level:	Delegated
Decision Date:	19/11/2015	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:	Mr Baris Coskuncay	Agent:	
Location:	61A SEAVIEW ROAD, LISCARD, CH45 4QW		
Proposal:	Refurbishment and interior alterations to form restaurant on first floor		
Application No.:	APP/15/01310	Application Type:	Full Planning Permission
Ward:	Cloughton	Decision Level:	Delegated
Decision Date:	16/11/2015	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Mr Mark Nicholson	Agent:	Williams Planning Services
Location:	22 FERN GROVE, NOCTORUM, CH43 9AD		
Proposal:	Erection of bedroom and en-suite above existing car port		
Application No.:	APP/15/01311	Application Type:	Full Planning Permission
Ward:	Moreton West and Saughall Massie	Decision Level:	Delegated
Decision Date:	19/11/2015	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr K Crabtree	Agent:	C W Jones
Location:	148 EDGEHILL ROAD, MORETON, CH46 6AS		
Proposal:	Single storey side, front and rear extension		

Application No.: APP/15/01312 **Application Type:** Full Planning Permission
Ward: Pensby and Thingwall **Decision Level:** Delegated
Decision Date: 30/11/2015 **Decision:** Refuse
Case Officer: Mr K Spilsbury
Applicant: Mr J Grewal **Agent:** C W Jones
Location: 124A BARNSTON ROAD, BARNSTON, CH61 1BT
Proposal: Change building to a residential use (Use class C3) and associated extensions.

Application No.: APP/15/01313 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 25/11/2015 **Decision:** Withdrawn
Case Officer: Mr P Howson
Applicant: Mr Alex Paterson **Agent:** Hughes Architectural
Location: 26 CLAREMOUNT ROAD, LISCARD, CH45 6UB
Proposal: Change of use of existing out building/garage into a dwelling

Application No.: APP/15/01314 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Refuse
Case Officer: Miss A McDougall
Applicant: Mrs Amitha Pragash **Agent:**
Location: 78 MARLOWE ROAD, LISCARD, CH44 3DQ
Proposal: Single storey rear extension with balcony

Application No.: APP/15/01315 **Application Type:** Full Planning Permission
Ward: Greasby Frankby and Irby **Decision Level:** Delegated
Decision Date: 19/11/2015 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr Andrew Higgins **Agent:** SDA Architecture & Surveying
Location: 165 BROOKDALE AVENUE SOUTH, GREASBY, CH49 1SS
Proposal: Erection of a two-storey rear extension and internal alterations

Application No.: APP/15/01316 **Application Type:** Full Planning Permission
Ward: Cloughton **Decision Level:** Delegated
Decision Date: 23/11/2015 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mrs Sarah Edwards **Agent:**
Location: 14 WILFRED OWEN DRIVE, BIDSTON, CH41 0HA
Proposal: Single storey side and rear extension

Application No.:	APP/15/01319	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	20/11/2015	Decision:	Refuse
Case Officer:	Mr N Williams		
Applicant:	Mr & Mrs Roberts	Agent:	Matthews and Goodman LLP
Location:	Barnstondale Cottage, 111 BARNSTON ROAD, BARNSTON, CH61 1BR		
Proposal:	The erection of 1no. single storey detached dwelling		
Application No.:	RESX/15/01321	Application Type:	Prior Approval Householder PD
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	16/11/2015	Decision:	Prior approval is not required
Case Officer:	Mrs J McMahon		
Applicant:	Mr David Delamere	Agent:	
Location:	31 CHORLEY WAY, SPITAL, CH63 9LS		
Proposal:	Erection of a extension which would extend beyond the rear wall of the original house by 7.5m for which the maximum height would be 3.3m and for which the height of the eaves would be 2.8m		
Application No.:	APP/15/01323	Application Type:	Full Planning Permission
Ward:	Pensby and Thingwall	Decision Level:	Delegated
Decision Date:	19/11/2015	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Mr Ken Metcalfe	Agent:	Mr Nigel Williams
Location:	29 ANTONS ROAD, IRBY, CH61 9PT		
Proposal:	Rear single storey extension to kitchen.		
Application No.:	APP/15/01324	Application Type:	Full Planning Permission
Ward:	Wallasey	Decision Level:	Delegated
Decision Date:	27/11/2015	Decision:	Approve
Case Officer:	Mr N Williams		
Applicant:		Agent:	Weightman & Bullen Ltd
Location:	St Georges Primary School Annexe (Claremount Site), CLAREMOUNT ROAD, LISCARD, CH45 6UE		
Proposal:	Erection of a three classroom extension		
Application No.:	APP/15/01325	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	16/11/2015	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr & Mrs Cooper	Agent:	Architects-Direct.com
Location:	Dunwood, TELEGRAPH ROAD, GAYTON, CH60 8NA		
Proposal:	Extension to front / side to form new internal porch area.		

Application No.: APP/15/01326 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 01/12/2015 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: Mr & Mrs Cullen **Agent:** architects-direct.com ltd
Location: 63 DOWNHAM ROAD SOUTH, HESWALL, CH60 5SE
Proposal: Remove existing extension and construct new single storey extension to rear and side and general internal alterations

Application No.: APP/15/01327 **Application Type:** Full Planning Permission
Ward: Bebington **Decision Level:** Delegated
Decision Date: 01/12/2015 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr M Cheseldine **Agent:** Raymond Lear MCIAT
Location: 29 ROLAND AVENUE, HIGHER BEBINGTON, CH63 8LH
Proposal: Erection of single storey rear extension and construction of new roof over garage

Application No.: ADV/15/01329 **Application Type:** Advertisement Consent
Ward: Liscard **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Approve
Case Officer: Mr N Williams
Applicant: **Agent:**
Location: Card Warehouse, 9 LISCARD WAY, LISCARD, CH44 5TL
Proposal: Erection of 2 illuminated signs

Application No.: APP/15/01332 **Application Type:** Full Planning Permission
Ward: Heswall **Decision Level:** Delegated
Decision Date: 23/11/2015 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mr & Mrs Dickman **Agent:** KJP Architecture
Location: 38 DEE PARK ROAD, GAYTON, CH60 3RQ
Proposal: Single storey Rear Extensions & internal alterations

Application No.: APP/15/01334 **Application Type:** Full Planning Permission
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr Dale Walker **Agent:** C W Jones
Location: 28 BARRYMORE WAY, BROMBOROUGH, CH63 0HN
Proposal: Single storey front extension (single storey rear extension as shown on the plan is subject to permitted development)

Application No.: APP/15/01335 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Approve
Case Officer: Mr P Howson
Applicant: Mr Barry Wade **Agent:** C W Jones
Location: 10 MILLERS WAY, MORETON, CH46 6EH
Proposal: Two storey rear extension

Application No.: APP/15/01337 **Application Type:** Full Planning Permission
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr & Mrs Dixon **Agent:**
Location: 22 FRANKBY ROAD, NEWTON, CH48 6EE
Proposal: To form a two storey side and single storey rear extension with widened gate access

Application No.: APP/15/01338 **Application Type:** Full Planning Permission
Ward: Leasowe and Moreton East **Decision Level:** Delegated
Decision Date: 17/11/2015 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: Mrs Anna Jones **Agent:** GBS Design Services
Location: Piazza Italia Ristorante, 196-198 HOYLAKE ROAD, MORETON, CH46 8TH
Proposal: The division of the ground floor to form a new separate retail unit with alterations to the external appearance. Two-storey rear extension to create additional living accommodation and alteration to internal layout at first floor level.

Application No.: ADV/15/01345 **Application Type:** Advertisement Consent
Ward: Seacombe **Decision Level:** Delegated
Decision Date: 17/11/2015 **Decision:** Approve
Case Officer: Mr P Howson
Applicant: **Agent:** Chartwell PM
Location: 18 CHURCH ROAD, SEACOMBE, CH44 6JF
Proposal: Erection of 1 totem sign

Application No.: APP/15/01346 **Application Type:** Full Planning Permission
Ward: Oxtton **Decision Level:** Delegated
Decision Date: 24/11/2015 **Decision:** Refuse
Case Officer: Miss A McDougall
Applicant: Mr Paul & Samantha Oates **Agent:** Ms S Oates
Location: 3 CLAUGHTON FIRS, OXTON, CH43 5TG
Proposal: Change of use from florist into Barber shop and Bar (mixed use)

Application No.: APP/15/01348 **Application Type:** Full Planning Permission
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 24/11/2015 **Decision:** Approve
Case Officer: Mr P Howson
Applicant: Mr S Jones **Agent:** KDP Architects
Location: 1 BELFORD DRIVE, MORETON, CH46 6ER
Proposal: To alter & change existing built first floor extension.

Application No.: LDP/15/01350 **Application Type:** Lawful Development Certificate Proposed
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Lawful Use
Case Officer: Miss A McDougall
Applicant: Mrs Clare O'Connell **Agent:**
Location: 35 BEACHCROFT ROAD, MEOLS, CH47 6BD
Proposal: Lawful development certificate for conversion of garage into habitable space ancillary to the main dwelling

Application No.: ADV/15/01351 **Application Type:** Advertisement Consent
Ward: Bromborough **Decision Level:** Delegated
Decision Date: 25/11/2015 **Decision:** Approve
Case Officer: Mrs J McMahon
Applicant: **Agent:** Zillwoods ltd
Location: The Croft Retail and Leisure Park, WELTON ROAD, BROMBOROUGH
Proposal: 1No internally illuminated with LED flex face sign 13No non illuminated slim frame flex face signs

Application No.: ADV/15/01352 **Application Type:** Advertisement Consent
Ward: Liscard **Decision Level:** Delegated
Decision Date: 17/11/2015 **Decision:** Approve
Case Officer: Mr P Howson
Applicant: **Agent:** RRDS Ltd
Location: 15 LISCARD WAY, LISCARD, CH44 5TL
Proposal: New fascia signage

Application No.: APP/15/01353 **Application Type:** Full Planning Permission
Ward: Liscard **Decision Level:** Delegated
Decision Date: 17/11/2015 **Decision:** Approve
Case Officer: Mr P Howson
Applicant: **Agent:** RRDS Ltd
Location: 15 LISCARD WAY, LISCARD, CH44 5TL
Proposal: Alterations to shop front.

Application No.:	APP/15/01357	Application Type:	Full Planning Permission
Ward:	Heswall	Decision Level:	Delegated
Decision Date:	25/11/2015	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Mr Tony Snell	Agent:	KJP Architecture
Location:	5 MOORLAND CLOSE, GAYTON, CH60 0EL		
Proposal:	Rear two storey extension		
Application No.:	APP/15/01362	Application Type:	Full Planning Permission
Ward:	Greasby Frankby and Irby	Decision Level:	Delegated
Decision Date:	01/12/2015	Decision:	Approve
Case Officer:	Mrs MA Jackson		
Applicant:	Mr & Mrs Bayliss	Agent:	
Location:	7 DUNNING CLOSE, UPTON, CH49 2RH		
Proposal:	Side Kitchen extension at ground floor and alterations to convert existing kitchen to bathroom		
Application No.:	ADV/15/01363	Application Type:	Advertisement Consent
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	25/11/2015	Decision:	Approve
Case Officer:	Mr S Williamson		
Applicant:		Agent:	Cube PSL
Location:	The Croft Retail and Leisure Park, WELTON ROAD, BROMBOROUGH		
Proposal:	Internally illuminated shop fascia signs and projecting/canopy signs.		
Application No.:	APP/15/01368	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	03/12/2015	Decision:	Refuse
Case Officer:	Mrs MA Jackson		
Applicant:	Mr Colin Shaw	Agent:	
Location:	Holly Hedge, COLUMN ROAD, CALDY, CH48 1LQ		
Proposal:	Detached garage with solar panels on part roof		
Application No.:	APP/15/01369	Application Type:	Full Planning Permission
Ward:	Prenton	Decision Level:	Delegated
Decision Date:	01/12/2015	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr Timothy Young	Agent:	
Location:	LAND ADJACENT TO 26 EDINBURGH DRIVE, PRENTON, CH43 0RL		
Proposal:	Resubmission of lapsed planning permission for a detached, 2 storey, 3 bedroom dwelling with integral garage		

Application No.:	APP/15/01379	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	01/12/2015	Decision:	Approve
Case Officer:	Mrs J McMahon		
Applicant:	Mr Paul Philpotts	Agent:	
Location:	29 ST ANDREWS ROAD, BEBINGTON, CH63 3DF		
Proposal:	Erection of 2-storey side and single storey rear extensions.		
Application No.:	APP/15/01382	Application Type:	Full Planning Permission
Ward:	Clatterbridge	Decision Level:	Delegated
Decision Date:	04/12/2015	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:		Agent:	Mr D Johnstone
Location:	126 STANTON ROAD, BEBINGTON, CH63 3AU		
Proposal:	Proposed single storey rear extension with single storey out-building and single storey covered link (amended description)		
Application No.:	RESX/15/01386	Application Type:	Prior Approval Householder PD
Ward:	Bebington	Decision Level:	Delegated
Decision Date:	16/11/2015	Decision:	Prior approval is not required
Case Officer:	Miss A McDougall		
Applicant:	Mr David Tinker	Agent:	
Location:	9 CALDER ROAD, HIGHER BEBINGTON, CH63 2JR		
Proposal:	Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 3m for which the maximum height would be 3m and for which the height of the eaves would be 2.4m		
Application No.:	APP/15/01387	Application Type:	Full Planning Permission
Ward:	Bromborough	Decision Level:	Delegated
Decision Date:	02/12/2015	Decision:	Approve
Case Officer:	Miss A McDougall		
Applicant:	Mr Paul Parker	Agent:	
Location:	LAND TO THE REAR OF 6 CENTRAL AVENUE, BROMBOROUGH, CH62 2BT		
Proposal:	Proposed new dwelling		
Application No.:	APP/15/01394	Application Type:	Full Planning Permission
Ward:	West Kirby and Thurstaston	Decision Level:	Delegated
Decision Date:	04/12/2015	Decision:	Approve
Case Officer:	Mr S Lacey		
Applicant:	Mr & Mrs O'Neill	Agent:	Lightblue Solutions Ltd
Location:	Stone Hive, DARMONDS GREEN, WEST KIRBY, CH48 5DU		
Proposal:	Retention of lean-to store/shed to side of house.		

Application No.: LDP/15/01395 **Application Type:** Lawful Development Certificate Proposed
Ward: Bebington **Decision Level:** Delegated
Decision Date: 03/12/2015 **Decision:** Lawful Use
Case Officer: Mr S Lacey
Applicant: Mr T Kopanyit **Agent:** Cooper Clark Design
Location: 61 WITHERT AVENUE, HIGHER BEBINGTON, CH63 5NE
Proposal: Erection of a single storey side extension.

Application No.: RESX/15/01397 **Application Type:** Prior Approval Householder PD
Ward: Moreton West and Saughall Massie **Decision Level:** Delegated
Decision Date: 23/11/2015 **Decision:** Prior approval is not required
Case Officer: Mr S Williamson
Applicant: Miss Anne Garrigan **Agent:**
Location: 18 GIRTRELL ROAD, UPTON, CH49 4LQ
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 3.262m for which the maximum height would be 3.900m and for which the height of the eaves would be 2.487m

Application No.: RESX/15/01404 **Application Type:** Prior Approval Householder PD
Ward: West Kirby and Thurstaston **Decision Level:** Delegated
Decision Date: 16/11/2015 **Decision:** Prior approval is not required
Case Officer: Mrs J McMahon
Applicant: Mrs Maria Dutton **Agent:** Ultraseal Conservatories
Location: 41 QUEENSBURY, NEWTON, CH48 6EL
Proposal: Erection of a conservatory which would extend beyond the rear wall of the original house by 3.6m for which the maximum height would be 3.3m and for which the height of the eaves would be 2.3m

Application No.: APP/15/01414 **Application Type:** Full Planning Permission
Ward: Wallasey **Decision Level:** Delegated
Decision Date: 02/12/2015 **Decision:** Approve
Case Officer: Miss A McDougall
Applicant: Mr Hodgson **Agent:** Collins Architecture
Location: ANCHOR COTTAGE, WALLASEY VILLAGE, CH45 3HJ
Proposal: Detached dwelling with access from Wallasey Village Road. (The application is essentially a copy of OUT/13/01403 & DLS/14/01078 but with an alteration to bay on the front elevation)

Application No.: ANT/15/01421 **Application Type:** Prior Approval of Telecommunications PD
Ward: Bebington **Decision Level:** Delegated
Decision Date: 02/12/2015 **Decision:** Prior Approval Given
Case Officer: Mr N Williams
Applicant: **Agent:** WHP Wilkinson Helsby
Location: LAND AT LEVER CAUSEWAY, STORETON, WIRRAL, CH63 5PL
Proposal: Proposed 4G (Fourth Generation) upgrade involving replacement mast and additional cabinet

Application No.: RESX/15/01423 **Application Type:** Prior Approval Householder PD
Ward: Hoylake and Meols **Decision Level:** Delegated
Decision Date: 03/12/2015 **Decision:** Prior approval is not required
Case Officer: Mrs MA Jackson
Applicant: Mr & Mrs O'Connell **Agent:** The Kenefick Jones Partnership
Location: 35 BEACHCROFT ROAD, MEOLS, CH47 6BD
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 6m for which the maximum height would be 3.105m and for which the height of the eaves would be 2.495m

Application No.: RESX/15/01426 **Application Type:** Prior Approval Householder PD
Ward: Leasowe and Moreton East **Decision Level:** Delegated
Decision Date: 01/12/2015 **Decision:** Prior approval is not required
Case Officer: Mr P Howson
Applicant: Mr. Justin Evans **Agent:**
Location: 30 DANESWELL DRIVE, MORETON, CH46 1QH
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4m for which the maximum height would be 3.6m and for which the height of the eaves would be 2.8m

Application No.: RESX/15/01484 **Application Type:** Prior Approval Householder PD
Ward: Clatterbridge **Decision Level:** Delegated
Decision Date: 19/11/2015 **Decision:** Not required
Case Officer: Miss A McDougall
Applicant: Mr D Quayle **Agent:**
Location: 3 ANGUS ROAD, BROMBOROUGH, CH63 0LP
Proposal: Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4m for which the maximum height would be 3.7m and for which the height of the eaves would be 2.3m

Total Number of Applications Decided: 83

Summary of data

	Total Per D
Approve	57
Lawful Use	2
Not an application	2
Not required	1
Prior Approval Given	1
Prior approval is not required	6
Refuse	10
Refuse (mixed)	1
Withdrawn	3
Report Total	83

This page is intentionally left blank