



Planning Committee

Date:	Tuesday, 28 April 2020
Time:	6.00 p.m.
Venue:	Virtual Meeting - Microsoft Teams

This meeting will be webcast at
<https://wirral.public-i.tv/core/portal/home>

Contact Officer: Katy Brown / Anne Beauchamp / Bryn Griffiths

e-mail: committeeservices@wirral.gov.uk

Website: <http://www.wirral.gov.uk>

If you wish to address the committee regarding one of the applications being heard please email committeeservices@wirral.gov.uk stating your name, the application you wish to speak to and your position (i.e. petitioner/developer etc)/ We will contact you back to explain how to access the meeting.

1. MINUTES (Pages 1 - 4)

To approve the accuracy of the minutes of the meeting held on 19 March 2020

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. APP/19/01540 - VACANT SHOP, 67 KING STREET, EGREMONT, CH44 0BY: CHANGE OF USE FROM RETAIL (USE CLASS A1) ON THE GROUND FLOOR AND 2 BEDROOM FLAT ON THE FIRST AND SECOND FLOORS (USE CLASS C3) TO 7 BEDROOM HOUSE IN MULTIPLE OCCUPATION (HMO) (USE CLASS SUI GENERIS) INCLUDING LOFT CONVERSION AND CONSTRUCTION OF A REAR DORMER WINDOW. (Pages 5 - 10)

4. APP/19/01575 - 52-54 GREENHEYS ROAD, LISCARD, CH44 5UP: DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF AN INDEPENDENT LIVING RETIREMENT SCHEME COMPRISING 53 UNITS, ALONG WITH ASSOCIATED CAR PARKING AND HARD AND SOFT LANDSCAPING (Pages 11 - 20)

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PLANNING COMMITTEE

Thursday, 19 March 2020

Present:

Councillor	S Kelly (Chair)	
Councillors	S Foulkes	B Kenny
	K Hodson	S Whittingham
	S Hayes	I Lewis
	G Davies	M Jordan

95 MINUTES

The Director of Governance and Assurance submitted the minutes of the meeting held on 13 February 2020 for approval.

Resolved – That the minutes of the meeting held on 13 February 2020 be approved.

96 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

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

Councillors Steve Foulkes and Ian Lewis declared prejudicial interests in item 7 – 52-54 Greenheys Road, Liscard, by virtue of their position on the Board of Magenta Living.

Councillor Steve Foulkes declared a personal interest in item 8 - Meols Railway Station, Birkenhead Road, Meols, by virtue of his position on the Board of Merseytravel.

97 APP/17/01504 - SITE OF FORMER DELL PRIMARY SCHOOL, THE DELL, ROCK FERRY, WIRRAL - PROPOSED RESIDENTIAL DEVELOPMENT OF 61NO. DWELLING UNITS (38NO. HOUSES AND 23NO. APARTMENTS)

The Director of Regeneration and Place submitted the above application for consideration.

On a motion by the Chair and seconded by Councillor Steve Foulkes it was –

Resolved (8:0) – That the application be approved.

- 98 **APP/19/00822 - WESTWARD, 112- 114 BIRKENHEAD ROAD, MEOLS, CH47 0LE - THE PROPOSAL IS FOR 1NO. 3 STOREY NEW BUILD BLOCK AND 1NO. 2.5 STOREY NEW BUILD BLOCK, CONTAINING 6NO. 1 BEDROOM AND 21NO. 2 BEDROOM APARTMENTS, ALONG WITH ASSOCIATED CAR PARKING AND LANDSCAPING.**

Resolved – That this item be deferred at the request of the Director of Regeneration and Place, to allow for a revised scheme to be submitted.

- 99 **DLS/19/01305 - BURTONS FOODS, PASTURE ROAD, MORETON, CH46 8SE - RESERVED MATTERS APPLICATION FOR THE CONSTRUCTION OF 257 DWELLINGS, ASSOCIATED OPEN SPACE AND INFRASTRUCTURE (FOLLOWING THE GRANT OF OUTLINE PLANNING PERMISSION).**

The Director of Regeneration and Place submitted the above application for consideration.

On a motion by the Chair and seconded by Councillor Steve Foulkes, it was –

Resolved (8:0) – That the application be approved.

- 100 **APP/19/01870 - LAND AT THE CORNER OF COLLEGE CLOSE AND THIRD AVENUE, WIRRAL, CH43 9XP - CONSTRUCTION OF 3 BUNGALOWS WITH ASSOCIATED HARD AND SOFT LANDSCAPING**

Resolved – That consideration of this item be withdrawn from the Committee to be determined by the Director of Regeneration and Places.

- 101 **APP/19/01872 - LAND AT CORNER OF CORWEN CLOSE AND THIRD AVENUE., WIRRAL, CH43 9UX - ERECTION OF 3 BUNGALOWS WITH ASSOCIATED HARD AND SOFT LANDSCAPING**

Resolved – That consideration of this item be withdrawn from the Committee to be determined by the Director of Regeneration and Places.

- 102 **APP/19/01873 - LAND AT THE CORNER OF CHARLWOOD CLOSE AND THIRD AVENUE, BEECHWOOD, CH43 9XF - ERECTION OF 3 BUNGALOWS WITH ASSOCIATED HARD AND SOFT LANDSCAPING**

Resolved – That consideration of this item be withdrawn from the Committee to be determined by the Director of Regeneration and Places.

- 103 **APP/19/01874 - LAND AT THE CORNER OF CAXTON CLOSE AND THIRD AVENUE, BEECHWOOD, WIRRAL CH43 9XQ - ERECTION OF 4 BUNGALOWS WITH ASSOCIATED HARD AND SOFT LANDSCAPING**

Resolved – That consideration of this item be withdrawn from the Committee to be determined by the Director of Regeneration and Places.

104 **APP/19/01875 - LAND AT CORNER OF CHANTRY CLOSE AND THIRD AVENUE, WIRRAL, CH43 9EX - ERECTION OF 4 BUNGALOWS WITH ASSOCIATED HARD AND SOFT LANDSCAPING**

Resolved – That consideration of this item be withdrawn from the Committee to be determined by the Director of Regeneration and Places.

105 **URGENT BUSINESS**

The Director of Regeneration and Place introduced a report which requested that due to the current unprecedented circumstances surrounding the COVID-19 outbreak, the Committee grant delegated authority to the Director of Regeneration and Place to undertake all functions within the Planning Committee's terms of reference where it was deemed necessary and appropriate to do so until such time as emergency legislation is passed which would allow for meetings to be held and decisions taken remotely by Members.

This matter affected all Wards within the Borough.

Members debated the proposals.

Resolved – That the Committee agrees:

- (1) To delegate authority to the Director of Regeneration and Place to determine, in consultation with the Chair and Party spokespersons;**
 - (i) Any major applications**
 - (ii) Applications where it was proposed to make a decision that is contrary to the development plan with the exception of domestic extensions.**
 - (iii) Decisions that would need to be referred to the Secretary of State with the exception of applications for Planning Permission and/or Listed Building Consent to Grade I listed buildings, where there are no objections on conservation grounds.**
 - (iv) Any application recommended for refusal where a Member has registered support in writing for an application on planning grounds and has requested the application is determined by Planning Committee.**
 - (v) Any personal/private application made by any Member of the Council, or any member of staff employed in the Council's planning services section.**
 - (vi) Any application where an Elected Member is involved in any capacity as an agent or consultant where at least one objection has been received.**
 - (vii) Decisions where a claim for compensation from the Council may arise or which otherwise may involve a financial payment.**
 - (viii) Recommendations to not take appropriate enforcement action relating to Priorities 1, 2 and 3 of the adopted Planning Enforcement Policy on the grounds of non-expediency.**
- (2) To suspend the procedural rule relating to petitioners' and applicants' rights to speak at Planning Committee.**

- 106 **APP/19/01540 - VACANT SHOP, 67 KING STREET, EGREMONT, CH44 0BY - CHANGE OF USE FROM RETAIL (USE CLASS A1) ON THE GROUND FLOOR AND 2 BEDROOM FLAT ON THE FIRST AND SECOND FLOORS (USE CLASS C3) TO 7 BEDROOM HOUSE IN MULTIPLE OCCUPATION (HMO) (USE CLASS SUI GENERIS) INCLUDING LOFT CONVERSION AND CONSTRUCTION OF A REAR DORMER WINDOW.**

Resolved – That consideration of this item be deferred to a future date.

- 107 **APP/19/01575 - 52-54 GREENHEYS ROAD, LISCARD, CH44 5UP - DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF AN INDEPENDENT LIVING RETIREMENT SCHEME COMPRISING 53 UNITS, ALONG WITH ASSOCIATED CAR PARKING AND HARD AND SOFT LANDSCAPING**

Councillors Steve Foulkes and Ian Lewis declared a prejudicial interest in this item and left the room during its consideration.

Resolved – That consideration of this item be deferred to a future date.

- 108 **APP/19/01828 - MEOLS RAILWAY STATION, BIRKENHEAD ROAD, MEOLS, CH47 9RA - RETENTION OF 1.8M HIGH, 112M LONG STANDARD GALVANISED PALISADE FENCE.**

Councillor Steve Foulkes declared a personal interest in this item and left the room during its consideration.

Resolved – That consideration of this item be deferred to a later date.

- 109 **APP/19/01876 - 6 COTTAGE DRIVE WEST, GAYTON, CH60 8NU - ERECTION OF TWO-STOREY FRONT AND SIDE EXTENSIONS AND PART SINGLE PART TWO-STOREY REAR EXTENSION. OTHER WORKS INCLUDE RAISING OF THE RIDGE HEIGHT BY 0.912M AND FORMATION OF ROOF TERRACE (AMENDED PLANS).**

Resolved – That consideration of this item be deferred to a later date.

Planning Committee

28 April 2020

Reference:
APP/19/01540

Area Team:
**Development
Management Team**

Case Officer:
Mr A Siddall

Ward:
Liscard

Location:
Proposal:

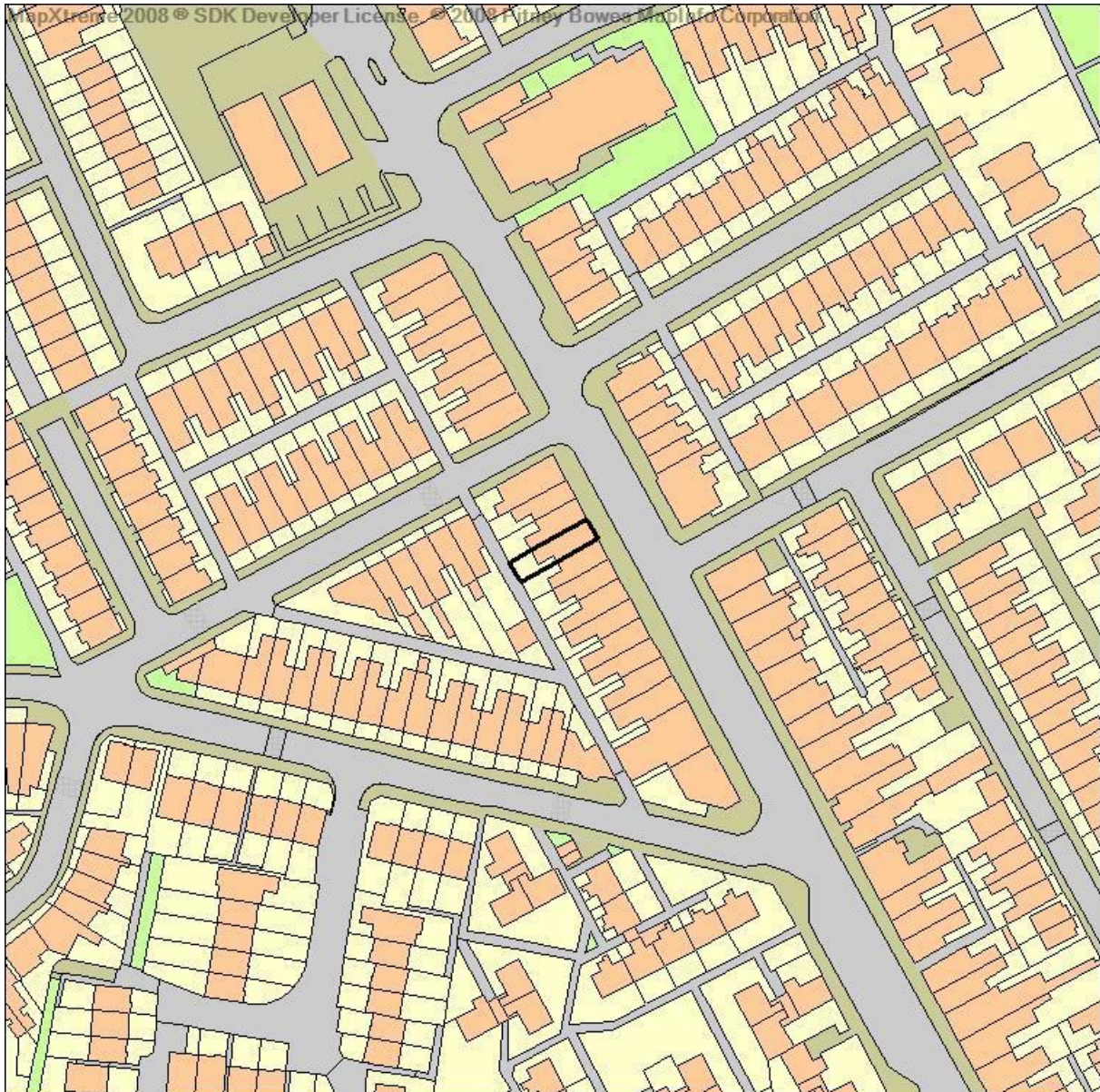
Vacant Shop, 67 KING STREET, EGREMONT, CH44 0BY
Change of use from retail (use class A1) on the ground floor and 2 bedroom flat on the first and second floors (Use Class C3) to 7 bedroom House in Multiple Occupation (HMO) (Use Class Sui Generis) including loft conversion and construction of a rear dormer window.

Applicant:
Agent :

Mr Duke
Town Planning Expert

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Primarily Residential Area

Planning History:

Location: 67, King Street, Egremont. L44 0BY
Application Type: Full Planning Permission
Proposal: Single storey workshop extension.
Application No: APP/86/05205
Decision Date: 17/04/1986
Decision Type: Approve

Location: 67, King Street, Egremont. L44 0BY
Application Type: Full Planning Permission
Proposal: Erection of a new shop front and formation of a self contained flat.
Application No: APP/85/06557
Decision Date: 21/10/1985
Decision Type: Approve

Summary Of Representations and Consultations Received:**1.0 WARD MEMBER COMMENTS**

1.1 Councillor Janette Williamson wishes the application to be taken out of delegation in the event of a recommendation for approval on the basis that the development would result in a concentration of Houses in Multiple Occupation in the locality, to the detriment of the character of the area.

2.0 SUMMARY OF REPRESENTATIONS

2.1 Having regard to the Council's guidance on publicity for planning applications notification letters were sent to 11 neighbouring properties on 22 October 2019. The deadline for receipt of representations passed on 12 November 2019.

REPRESENTATIONS

None received.

CONSULTATIONS

Environmental Health - No objection;

Highways - No objection. Cycle storage is required.

HMO Housing - Objected to the original proposal as the layout did not meet required space standards due to a lack of dining space of sufficient size to accommodate 8 persons and a lack of kitchen worktop space for the expected number of occupiers. The revised plans showing an increase in communal kitchen dining space and a reduction in bedrooms from 8 to 7 overcome the objections raised.

3.1 Site and Surroundings

3.1.1 The application site comprises a mid-terrace property over three storeys with a vacant retail unit with shop front at ground floor and a self-contained flat above. The property is in a historic parade of retail units within a wider primarily residential area where many of the former shops have been converted to residential use. The adjacent unit to the south remains in commercial use at ground floor as a barber shop with residential above, whilst the adjacent unit to the north has been converted to self-contained flats. The front elevation directly abuts the pavement with unrestricted on-street parking to the western side of the highway and marked parking bays to the east side. To the rear of the building is a single storey workshop extension enclosing much of the rear yard with a passage retained to provide access to the rear gate which opens onto a rear alleyway serving all units within the parade. The rear yard is enclosed by brick walling. To the western side of the alley is the side elevation and enclosed rear garden of 3 Glenalmond Road. The external construction materials of the building are brick with a dual pitched tiled roof.

3.2 Proposed Development

3.2.1 Full planning permission is sought for the change of use of the building to a 7-bedroom House in Multiple Occupation (HMO) as a sui generis use. Operational development will comprise the removal of the existing shopfront and its replacement with a brick facade with front door to the building and a window serving a ground floor bedroom. To the rear of the ground floor will be communal kitchen and dining space with enclosed cycle and bin storage within the former workshop extension. To the first and second floors will be five further bedrooms and one bedroom created within the roof space, served by a flat roofed box dormer window which also accommodates the staircase. This dormer window has already been constructed. A small communal lounge will be provided to the front half of the roof space, lit by roof lights. No off-street car parking is proposed.

3.2.2 The scheme has been amended since first submission with the number of bedrooms reduced from 8 to 7 in response to officer comments. The housing team considered that the kitchen and dining space was insufficient for 8 occupiers, whilst planning officers expressed concern over the outlook from some bedrooms and the lack of bin and cycle storage. Officers consider these concerns to have been addressed in the plans being considered by members.

3.3 Development Plan

3.3.1 Applications for Houses in Multiple Occupation are governed by saved UDP policy HS14, which sets criteria to ensure that such proposals protect the amenity of neighbouring residents and the character of the building and area, result in a good standard of accommodation for potential future residents and do not have an adverse effect on highway safety.

3.3.2 Saved UDP policy HS4 sets general development criteria for new housing development, seeking to ensure that the proposal does not result in a detrimental change in the character of the area, provides appropriate landscaping and boundary treatment, results in satisfactory access and servicing arrangements and incorporates adequate garden space.

3.3.3 Saved UDP policy TR9 notes that when considering off-street parking requirements, the LPA will be guided by the availability of alternative modes of transport, road safety and traffic management issues and the likelihood of cars being parked on residential roads, amongst other considerations. Policy TR12 expects cycle parking to be provided within the development site.

3.4 Other Material Planning Considerations

3.4.1 The NPPF seeks to support the Government's objective of significantly boosting the supply of homes and notes that it is important that the needs of groups with specific housing requirements are addressed. Section 11 seeks to ensure that development makes efficient use of land and, where there is an existing or anticipated shortage of land for meeting identified housing needs, that planning decisions avoid homes being built at low densities. In meeting this objective, account should be taken of the importance of securing well designed, attractive and healthy places that promote a high standard of amenity for existing and future users.

3.5 Assessment

3.5.1 The main issues pertinent in the assessment of the proposal are;

- The Principle of Development;
- The effect on the character of the area;
- The effect on neighbouring residential amenity;
- The amenity of potential future occupiers;
- Access, Parking and Servicing.

- 3.6 Principle of Development:
- 3.6.1 Houses in multiple occupation can fulfil a need for low-cost residential accommodation and can be acceptable in principle subject to compliance with the criteria under saved Unitary Development Plan policy HS14 which seeks to balance support for such development with protection for the character of the area and amenity levels, both for existing neighbours and proposed occupiers.
- 3.7 Character of the Area:
- 3.7.1 Saved policy HS14 of the UDP seeks to prevent an over concentration of HMOs within a particular area to avoid a detrimental change in the character of the area. To this extent existing HMOs and valid planning permissions must not comprise more than 20% of properties forming the street frontage of a block. In this particular block the Council's online register indicates that there are no other licensed large HMOs within this block. (large in the context of the Council's licensing scheme means 5 or more unrelated people sharing, so there is some overlap with use class C4, which allows up to six people sharing without requiring planning permission). The only licensed large HMOs on King Street are at numbers 52 on the opposite side of the road to the south, and 75, within the adjacent street block to the north, whilst to Egremont as a whole there are a total of 17 licensed large HMOs. On this basis it cannot be said that there is an over concentration of HMOs within this part of Egremont.
- 3.7.2 In this area the Council operates a selective licensing scheme for all privately rented properties regardless of format, and there are a large number of properties on King Street licensed under this scheme. The register covers all privately rented properties within use classes C3 or C4 and does not distinguish between self contained flats or dwellings rented to individuals or families, and small HMOs for up to 4 people. Given that these uses fall within classes C3 and C4, for which there is a permitted change of use, without an Article 4 direction the Local Planning Authority has no control over the number of these properties and control can be exercised only in respect of larger, sui-generis, Houses in Multiple Occupation where the potential effects on an area are greater. With this in mind, the proposal does not result in a detrimental change in the character of the area in respect of the number of large HMOs subject to planning control.
- 3.7.3 The existing building is in a poor condition and this development provides the opportunity to improve the appearance of the building in the street scene and the proposed elevations are acceptable in this regard, representing a modest benefit of development. The rear dormer window has been constructed and is clad in hung tile matching the existing roof slope. Being located on the rear it does not appear prominent in the street scene and does not result in a detrimental visual change in the character of the area.
- 3.7.4 Google Street View imagery would suggest that this property has been vacant at ground floor level for over a decade and given previous planning decisions it is clear that retail activity in this out of centre location has been declining in accordance with national trends. Having regard to the requirements of saved UDP policy SH5 and the function, physical condition and likely future role of this area as a shopping centre Officers do not object to the conversion of the ground floor commercial unit to residential use.
- 3.8 Neighbouring Residential Amenity:
- 3.8.1 Neighbouring properties to either side are in mixed commercial and residential use as self-contained flats. The redevelopment of this property for a more intensive residential use is unlikely to have a significant adverse impact on the living conditions at these flats as a result of increased noise and disturbance. Residential uses are not inherently noisy and any problems of nuisance are predominantly a matter for the property management and can be addressed through environmental health legislation. The amended plans make provision for an enclosed bin store, minimising the risk of odour or pest arising from the open storage of refuse.
- 3.8.1 The rear dormer window has a stairwell and proposed bedroom window looking towards the south west across neighbouring rear gardens. This window is in excess of 10 metres from the boundary of the property opposite and there are already upper floor windows looking across this space. This is an area of high density urban housing where mutual overlooking

already exists between multiple properties and the formation of the dormer window does not result in new overlooking of any formerly private amenity spaces. The only new window aperture created to the elevations of the building itself is at ground floor level to the rear offshoot, to enhance light to the kitchen/dining space. There is an existing brick boundary wall between properties here which prevents any harmful overlooking being created.

3.9 The Amenity of potential future occupiers:

3.9.1 The proposals as amended allow an acceptable standard of amenity for proposed occupiers. A reduction in bedrooms from 8 to 7 and enlarged ground floor kitchen and dining space allow for internal space standards that meet the requirements of the Council's private sector housing team. All bedrooms have a reasonable outlook and whilst a roof space communal living area is lit solely by rooflights, in HMO properties the outlook from the bedroom is of greater significance given that these are the only private spaces available for use by occupiers. There is no private garden space for use by residents, however the site is in close proximity to the promenade and is in easy reach of other public open space by walking, cycling or by way of public transport. On balance, the scheme provides an acceptable standard of amenity for future occupiers.

3.10 Access, Parking and Servicing:

3.10.1 In common with the vast majority of other dwellings in this area, the property does not have any off-street car parking, however this does not attract an objection from the Council's highways team. Unrestricted on-street parking exists to King Street and surrounding streets and the property is in a location where access to jobs, shops and services is available within walking or cycling distance or via high-frequency bus services. There is at least a 20 minute frequency service to Hamilton Square station, Birkenhead and New Brighton, five buses an hour to Seacombe Ferry for commuting links to Liverpool and a half hourly service to Liscard and Wallasey Village. In combination with the provision of cycle storage accommodating 1 cycle per bedroom, sufficient opportunities exist for occupiers to make use of sustainable transport options, minimising the requirement for a private car. Covered bin storage is provided within the rear yard with access for collection from the rear alleyway, minimising the risk of bins being left on the public highway.

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 brings back into use a long-term vacant property for residential use which will have a modest beneficial effect on the appearance of the street scene and the Council's housing land supply. The site is in a sustainable, accessible location where residents have opportunities to travel without use of the private car to reach jobs, shops, services and areas of public open space for informal recreation. The creation of a HMO in this location will not result in a concentration of such properties in this area to the extent that the existing character of the area will be detrimentally affected, and the scheme provides an acceptable standard of amenity for proposed residents whilst not harmfully affecting the amenity of existing neighbours. As such there are no environmental effects of development that significantly and demonstrably outweigh the economic and social benefits of bringing this vacant building into residential use. Therefore the application complies with the relevant requirements of the development plan and comprises sustainable development under the terms of the National Planning Policy Framework.

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 11 December 2019 and listed as follows:

67KS/303/PL Revision P1 (Proposed Plan Layouts) dated 10.12.19

67KS/304/PL Revision P1 (Proposed Elevations and Section A-A) dated 11.12.19

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

3. The House in Multiple Occupation hereby approved shall not be occupied by more than seven people.

Reason: To ensure a sufficient standard of amenity is retained for occupiers having regard to the size of the dwelling and its communal living spaces, in accordance with the objectives of saved policy HS14 of the Wirral Unitary Development Plan.

4. Prior to first occupation of the development hereby permitted, the bin store and cycle store, as identified on drawing number 67KS/303/PL Revision P1 shall be constructed and made available for use. Thereafter the bin store and cycle store shall remain available for their intended purpose.

Reason: In the interests of amenity and to ensure the development makes adequate provision to encourage the take up of sustainable transport modes, in accordance with the objectives of saved policies HS14, HS4 and TR12 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 12/11/2019

Expiry Date: 16/12/2019

Agenda Item 4

Planning Committee

28 April 2020

Reference:
APP/19/01575

Area Team:
**Development
Management Team**

Case Officer:
Mr M Wood

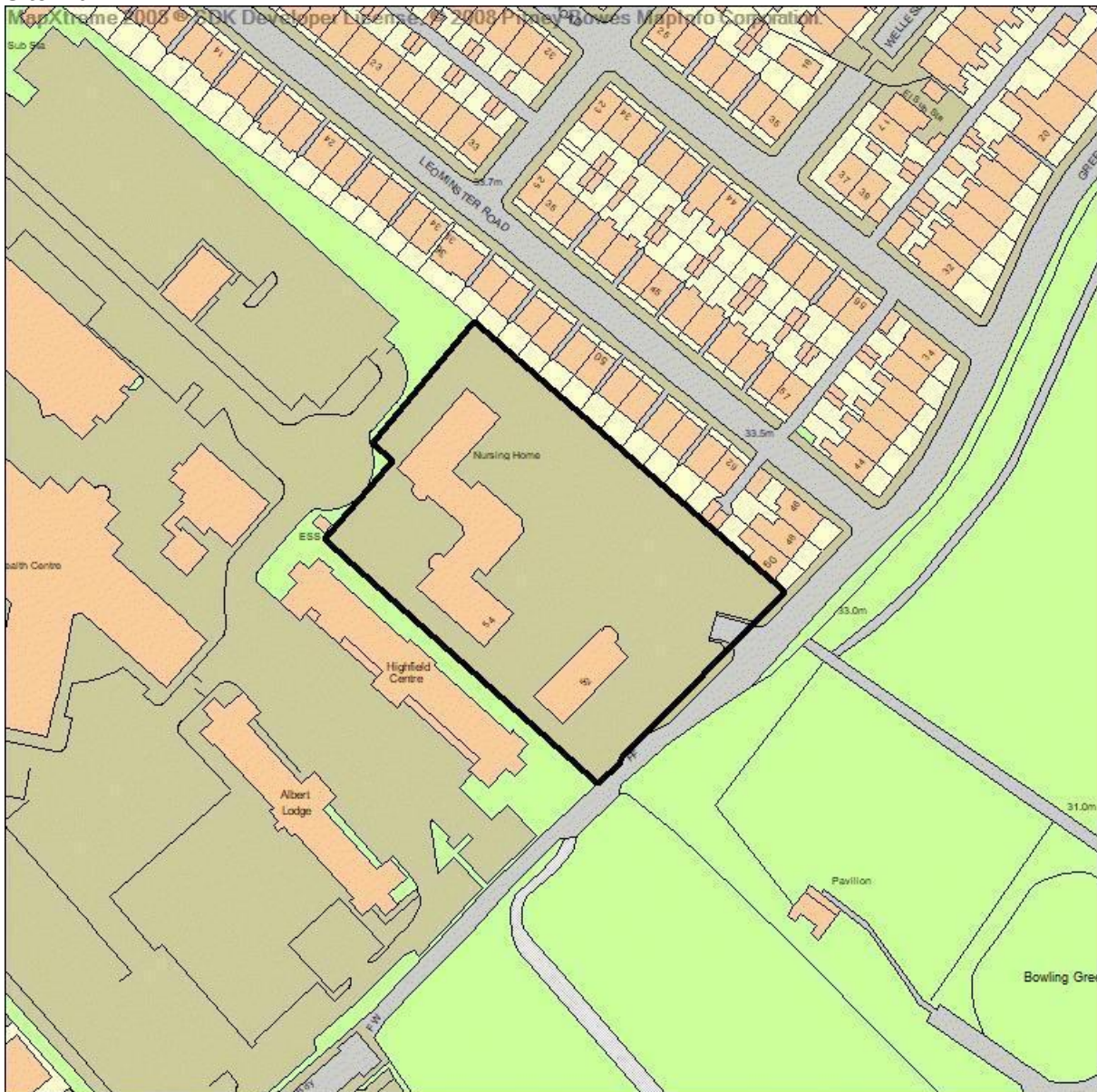
Ward:
Liscard

Location: 52-54 GREENHEYS ROAD, LISCARD, CH44 5UP
Proposal: Demolition of existing buildings on site and erection of an independent living retirement scheme comprising 53 units, along with associated car parking and hard and soft landscaping

Applicant: Anwyl Construction and NHS Property Services Ltd
Agent : Hive Land and Planning

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Primarily Residential Area

Planning History:

- Location: Sycamore Lodge Nursing Home, 54 GREENHEYS ROAD, LISCARD, CH44 5UP
Application Type: Full Planning Permission
Proposal: Convert 2 no. bedrooms and ensuite into self contained flat.
Application No: APP/10/00978
Decision Date: 04/10/2010
Decision Type: Approve
- Location: Victoria Central, Community Hospital, Mill Lane, Liscard, Wirral L44 5UF
Application Type: Full Planning Permission
Proposal: Erection of new gates.
Application No: APP/98/06721
Decision Date: 11/12/1998
Decision Type: Approve
- Location: Sycamore Lodge, 54 Greenheys Road, Liscard, Wirral, L44 5UP
Application Type: Full Planning Permission
Proposal: Erection of a conservatory.
Application No: APP/98/05355
Decision Date: 01/05/1998
Decision Type: Approve
- Location: 52 GREENHEYS ROAD, LISCARD, CH44 5UP
Application Type: Full Planning Permission
Proposal: New window to existing store room
Application No: APP/11/00084
Decision Date: 18/03/2011
Decision Type: Approve

Summary Of Representations and Consultations Received:**1.0 WARD MEMBER COMMENTS**

- 1.1 Removed from delegation at the request of Councillor Spoor.

2.0 SUMMARY OF REPRESENTATIONS**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, 8 representations have been received which consist of 8 objections summed up as follows:

1. Scale and massing of the proposal
2. Increase of traffic volume, not enough car parking
3. Overlooking
4. Loss of trees
5. Tenure of development once complete

CONSULTATIONS

Engineers: No objection.

Merseyside Environmental Advisory Service: No objection subject to conditions.

Lead Local Flood Authority: No objection subject to conditions.

Environmental Protection: No objection.

Housing Strategy: No objection subject to securing Affordable Housing commitment.

3.1 Reason for referral to Planning Committee

3.1.1 Application has been referred to Planning Committee at the request of Councillor Spoor.

3.2 Site and Surroundings

3.2.1 The application site is 0.52 hectares in size, situated in a Primarily Residential Area and contains two vacant single storey buildings that were formerly occupied as residential care homes. To the north and west of the site is the Victoria Central Hospital with two storey residential properties of Leominster Road to the east. Access is from the south boundary of the site from Greenheys Road

3.2.2 The site contains some well established trees along the east and southern boundaries with boundary treatment a mix of walls and fencing. The existing buildings on site are single storey with hipped roofs with the primary building sitting toward the north of the site.

3.3 Proposed Development

3.3.1 The proposal is to create a part two, part three storey development containing 53 extra care units to provide supported accommodation with off site 24 hour care. Additionally there will be a hardstanding to provide car parking along with associated landscaping.

3.3.2 The main mass of the building will be 3 storeys and be of red and dark grey masonry appearance. The main focus of outlook provision will be provided looking west with balconies on this particular elevation of the development. The components of the building are 45no. 1 bedroom units and 8no. 2 bedroom units.

3.4 Development Plan

3.4.1 Wirral Unitary Development Plan (UDP) Policies

Policy HS4: Criteria for New Housing Development

Policy HSG2: Affordable Housing

Policy HS6: Principles for Affordable Housing

Policy HS7: Sheltered Housing Policy

Policy GR7: Trees and New Development

Policy NC7: Species Protection Policy

Policy TR9: Requirements for Off Street Parking

Policy TR12: Requirements for Cycle Parking

Policy WA2: Development and Land Drainage

3.4.2 Joint Waste Local Plan for Merseyside and Halton

Policy WM8: Waste Prevention and Resource Management

Policy WM9: Sustainable Waste Management Design and Layout for New Development

3.4.3 SPD4 - Parking Standards

3.5 Other Material Planning Considerations

3.5.1 The National Planning Policy Framework 2018 (NPPF)

Section 2: Achieving sustainable development

Section 4: Decision Making

Section 5: Delivering a sufficient supply of homes

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 15: Conserving and enhancing the natural environment

3.6 Assessment

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;

- Design;
- Highways and PROW;
- Ecology; and
- Amenity

3.7 Principle of Development:

3.7.1 The site is a vacant care home and associated land located within a primarily residential area in accordance with Wirral's Unitary Development Plan (UDP) and as such the erection of residential development is acceptable in principle subject to accordance with the abovementioned policies of the UDP.

3.7.2 Paragraph 117 of Part 11 of the revised National Planning Policy Framework states that planning decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 118 of the Framework states that planning decision should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing. Paragraph 119 of the Framework requires local planning authorities to take a pro active role in identifying and helping bring forward land that may be suitable for meeting development needs.

3.7.3 With regard to Affordable Housing the description of development coupled with the submission of a resolute Planning Statement and Affordable Housing Statement detailing Magenta Homes agreement to take on the scheme and let all units at an affordable rate is consistent with the objectives of policies HS6 and HS7 of the UDP.

3.8 Design:

3.8.1 The proposal incorporates a main linear 3 storey block with shorter returns at the northern and southern ends. The layout has been primarily influenced by the existing trees upon the site and effectively the footprint of the building sits like a jigsaw piece upon the site in order to maximise safeguarding of mature trees upon the site. The access provision will be achieved from Greenheys Road and the site is served by parking to accommodate 25 offstreet parking bays.

3.8.1 The materials proposed in the external appearance will be a mix of red and dark grey brick, with soldier courses to window heads. There will be enclosed balconies with a natural rendered finish which will offer a contrast and provide visual interest. The building will be served by aluminium windows a number of which will be large and provide good outlook for future occupiers. A key design feature is the legibility of the site with the entrance offering a distinctive focal point which contrasts from the main massing of the building. The use of glazing and contrasting masonry adheres to good design principles and again adds visual interest to the proposal overall.

3.8.3 Given the established building lines and site context the scale and massing of the proposal is considered acceptable, which would create residential properties of a density conducive to housing delivery on previously developed land which accords with the principles of both HS4 of the UDP and similarly sections 5 and 11 of NPPF 2018.

3.9 Highways:

3.8.1 Having considered the proposal Engineers have concluded that the development includes a level of parking provision (25 spaces) that is deemed acceptable. A lack of tactile paving at the entrance point had also been raised as a concern. However this particular point has now been addressed by means of a revised site plan. Overall the site is considered well connected and given the likely lower car ownership associated with assisted living then the proposal is deemed acceptable in this regard.

3.10 Ecology:

3.10.1 The application has been assessed by MEAS who are satisfied that investigative work has taken place by the applicants appointed Ecologist which has concluded that there is limited evidence of existing bat roost on site. Moving toward the issue of recreational pressure MEAS have carried out a Habitats Regulation Assessment which concludes that with mitigation measures there will be no adverse impact on the integrity of European sites.

- 3.11 Amenity:
- 3.11.1 Ensuring amenity standards for new residential developments are set out within Policies HS4 of the Wirral Unitary Development Plan. This requires proposals to incorporate adequate private or communal garden space for each new dwelling. Adequate distances should be kept between habitable rooms in separate flats and blank gables whilst also ensuring overlooking of adjoining properties is avoided.
- 3.11.2 Taking into account the proposed position of the scheme, the existing position of the established surrounding properties and factoring in the relationship and orientation of the development and surrounding buildings then the proposal is considered acceptable in terms of impact upon amenity. To expand on this the interface distances between the proposal and nearest residential dwelling is in the main 26 metres this drops to 18 metres on the small two storey element to the northern part of the site however this is mitigated as there will be no habitable windows directly affronting existing residential dwellings and this part of the proposal will be significantly screened by tree coverage and as a result the two closest affected properties (46 & 48 Leominster Road) are considered to have an acceptable level of impact in this regard.
- 3.11.3 Moving to the western boundary of the site which adjoins Victoria Central Hospital there is an ancillary building providing mental health support services in connection with the hospital. This building is single storey and has a hipped roof and is almost fully screened by trees and planting along this boundary affronting the proposed development. Given this fact and also taking into account the interface of 28 metres to the proposed habitable room windows in the development then there is considered to be no adverse impact upon amenity for future occupiers of the development.
- 3.11.4 The proposal also includes private amenity space partially enveloped by the footprint of the building this will provide adequate outlook for future occupiers of the development as well as meeting criterion (vii) of policy HS4.
- 3.12 Trees and Landscaping
- 3.12.1 The proposal includes the removal of thirty trees however all but seven are of low quality with the remainder being of moderate quality. The design of the footprint of the building seeks to minimise tree loss and a submitted revised landscaping plan will make additional improvements to the site as a whole in accordance with policy GR5 of the UDP.
- 3.13 Drainage
- 3.13.1 The proposal is supported by a Proposed Drainage Strategy which is deemed acceptable by the LLFA subject to submission of final sustainable design to be agreed and dealt with by suitable condition.

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 would provide 53 no. affordable extra care apartments and associated facilities,. The application site constitutes previously developed land that falls within the Primarily Residential Area and was last occupied by a Use Class C2 use. The proposed development provides an appropriate level of design quality and visual interest, and would be of a layout, scale and mass that would respect the existing residential context and neighbours. It can deliver biodiversity enhancements and would not have any adverse impacts in relation to flood risk and drainage, ground conditions or waste management. The proposed development would bring social and economic benefits and, whilst objections have been received which have been carefully considered and taken into consideration, there are no material considerations which would significantly and demonstrably outweigh the benefits of the scheme. The application is considered to be acceptable with the terms of local and national policy. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal therefore merits

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 following plans and supporting document received on 17 October 2019 (unless specified):

PL003A Site Plan (received via email 6th February 2020)

PL004, Ground floor plan

PL005, First Floor plan

PL006, Second floor plan

PL007, Proposed elevations

PL008, Proposed elevations

PL009, Proposed site elevation and section

PL011. Unit plans

D&A STATEMENT REV B

E3P - Ecology Letter Statement – Dated 26th February 2020 (received via email 26th Feb 2020)

TPM Landscape - Landscape Layout – 3477/101 Revision B (received via email 19th Feb 2020)

Hydrock Drainage Strategy (received via email 7th January 2020)

Vectos – Swept Path Analysis – Ambulance – VN81194-TR101 (received via email 5th December 2020)

Planning Statement including Affordable Housing Statement (received via email 26th February 2020)

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

3. Before the development hereby approved is first commenced a datum for measuring land levels shall be agreed in writing. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum and submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: This information is required prior to the commencement of development to ensure that the development has a satisfactory appearance in the street scene and to avoid unacceptable overlooking of neighbouring properties having regard to Policy HS7 of the Wirral Unitary Development Plan and Section 12 of the National Planning Policy Framework.

4. Prior to any works above ground floor level taking place, details of the facing/roofing/windows and door 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: This information is required prior to the commencement of development to ensure that the development achieves a satisfactory appearance in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan and Section 12 of the National Planning Policy Framework.

5. Before the development hereby approved is first commenced, a scheme for the protection and enhancement of biodiversity within the development site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- A bat box that shall be installed on a suitably mature tree or on the extra care building;
- Bird nesting boxes (indicating the number, type and location on an appropriately scaled plan);
- An external lighting scheme that protects ecology and does not result in excessive light spill onto habitats, and;
- A timetable for the implementation of the biodiversity protection and enhancement.

The scheme shall thereafter be implemented in full accordance with the approved details and timetable.

Reason: This information is required prior to the commencement of development to ensure that biodiversity protection and enhancements are secured as required by Wirral Unitary Development Plan Policy NC7 and Section 15 of the National Planning Policy Framework.

6. No tree felling, scrub clearance or hedgerow removal is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted and approved prior to the commencement of such works.

Reason: To protect birds during their breeding season and to comply with Policy NC7 of the Wirral Unitary Development Plan.

7. The development is hereby approved shall be carried out in accordance with the submitted Landscaping Plan dwg no. 101 Rev B received electronically on 19 February 2020.

All planting, seeding or turfing comprised in the approved landscaping details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the soonest. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless, the Local Planning Authority gives written consent to any variation.

Reason: In order that landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with surrounding development in accordance with Policy HS4 of the Wirral Unitary Development Plan and Section 12 of the National Planning Policy Framework.

8. Construction of the development authorised by this permission shall not begin until the LPA has approved in writing a full scheme of works for the construction of the new vehicle access from the highway and any amendments to the existing highway made necessary by this development, including details of the new vehicle access in accordance with LPA commercial crossing specifications, tactile paved pedestrian crossing to the junctions of Leominster Rd/Greenheays Rd and Love Lane/Oxton Rd, details of a new TRO and any necessary amendments to the footway. The approved works shall be completed in accordance with the LPA written approval and prior to occupation of the development.

Reason: To ensure the safety of pedestrians is secured prior to residential occupancy of the development and in the wider interests of highway safety having regard to Policy HS4 of the Wirral Unitary Development Plan.

9. Prior to the commencement of site clearance, demolition, storage of plant (non-tree related), materials, machinery, including site huts and WCs, Tree Protection Barriers shall be installed immediately following tree works and Barriers shall confirm to the specification within the method statement. The Tree Protection Barriers and Ground Protection shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been removed from site. If such protection measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection. The tree protection measures shall not be dismantled until all construction related machinery and materials have been removed from site and not without written authorisation from the local planning authority or client arboriculturist. Once authorisation has been given the protection measures can be removed by hand and transported off site. During which time, no machinery or vehicles shall enter the area previously protected. No excavations, storage of materials, soil stripping, the raising or lowering of levels or the laying of hard surfacing without prior approval of the arboricultural consultant and / or the local planning authority. Any issues regarding tree protection should be agreed and implemented prior to commencement of development.

Prohibited Activities. The following activities must not be carried out under any circumstances: a, No fires to be lit within 20 metres of existing trees and shrubs to be retained. b, Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping. 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 builders debris or other materials to be stored within the Root Protection Areas. e, No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A dedicated washout area shall be a used and located not within 10 metres of any Root Protection f, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA. g, No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

Arboricultural Method Statement: The development should be carried out strictly in accordance with the approved Arboricultural Method Statement received .

Reason: To protect all trees worthy of retention in order that landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with surrounding development in accordance with Policy HS4 of the Wirral Unitary Development Plan and Section 12 of the National Planning Policy Framework.

10. Prior to the commencement of site clearance, demolition, storage of plant, materials, machinery, including the siting of site huts and WCs a precommencement site meeting shall be held and attended by the site manager, the demolition contractor, the arboricultural consultant and a representative from the local planning authority to discuss all the details of the tree protection measures as specified and any other site operations that have implications for trees. At this time it shall be agreed the intervals at which the arboricultural consultant shall carry out subsequent site visits to sign off installation of tree protection measures and supervise sensitive operations in relation to trees. It is the responsibility of the site foreman to inform all employees, contractors and sub-contractors visiting and or working on the site of the details specified and to raise the importance of the tree protection measures so as to avoid causing damage to retained trees.

Tree works: All tree pruning and felling associated with site handover shall be carried out as the first operation on site, in accordance with the specification in any Tree Tables. Work shall comply with BS3998:1989 Recommendations for Tree Work and current Best Practice.

This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of the tree protection during construction by a suitably qualified and pre-appointed tree specialist.

Reason: To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with policies GR7 of the adopted UDP

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

Reason: To secure appropriate drainage and to manage the risk of flooding and pollution in accordance with Policy WA5 of the Wirral Unitary Development Plan and Section 14 of the National Planning Policy Framework.

12. The affordable housing shall be provided within the development in accordance with the submitted Affordable Housing Statement submitted and prepared by Hive Land and Planning as part of an overarching Planning Statement received electronically on 26th February 2020.

Reason: To secure satisfactory affordable housing provision within the development in accordance with Policy HSG2 of the Wirral Unitary Development Plan and Section 5 and Annex 2 of the National Planning Policy Framework.

13. Before the development hereby approved is first commenced, a Construction and Environmental Management Plan (CEMP), which shall also include a Site Waste Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to for the duration of the construction of the development.

Reason: To maintain the operation of the local and strategic highway networks and to protect the amenities of neighbouring residents in accordance with Policy HS4 of the Wirral Unitary Development Plan and Sections 9 and 12 of the National Planning Policy Framework.

14. No residential development shall commence until the final detailed sustainable drainage design, for the management and disposal of surface water from the site based on the principles and details identified in the following documents has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- Sycamore Lodge, Greenheys Road, Wallasey – Drainage Strategy (24-02-20/ Ref: SLW-HYD-XX-XX-DR-C-0600/ rev: P02/ Hydrock)
- Email titled: "RE: Initial Consultation for Application App/19/01575" (including attachments)
From: Richard Baker (RichardBaker@hydrock.com)
To: Regen-LLFA (LLFA@wirral.gov.uk)
Email sent: 24 February 2020 13:45

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 163 and 165 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

15. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in

perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 163 and 165 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

Further Notes for Committee:

1. Informative

In order to fulfil the highway condition, it will be necessary to enter into a legal agreement with the Council to secure the works under the Highways Act and the New Roads and Streetworks Act. The agreements would include details of the works to be carried out including all necessary vehicle access works in accordance with concrete commercial crossing specifications, new footways, new TRO's to provide protection to new entrance in Greenheys Rd, road markings, dropped tactile pedestrian paved crossings to the junctions of Leominster Rd/Greenheys Rd, Love Lane/Oxton Rd and at new vehicle access off Greenheys Rd.

2. Maintenance of SuDS

The recommendation of the LLFA to accept a sustainable surface water drainage proposal, is always predicated on the fact that maintenance of the surface water drainage system is secured in perpetuity to manage flood risk for the lifetime of the development.

It is the advice of the LLFA that the maintenance arrangements capable of **ensuring** an acceptable standard of operation for the lifetime of the development, to satisfy paragraph 165 of the NPPF, are adoption by a statutory undertaker/public body or a s106 agreement with the developer to ensure maintenance/replacement of all communal components of the system as per the approved Operation and Maintenance Plan.

The proposed drainage strategy includes communal storage components that will NOT be adopted by United Utilities. The LPA should be satisfied that maintenance of all communal components has been secured in perpetuity via an appropriate mechanism / agreement.

Last Comments By: 27/11/2019
Expiry Date: 16/01/2020