

Planning Committee

03 January 2012

Reference:
APP/11/01050

Area Team:
South Team

Case Officer:
Ms J Storey

Ward:
Bromborough

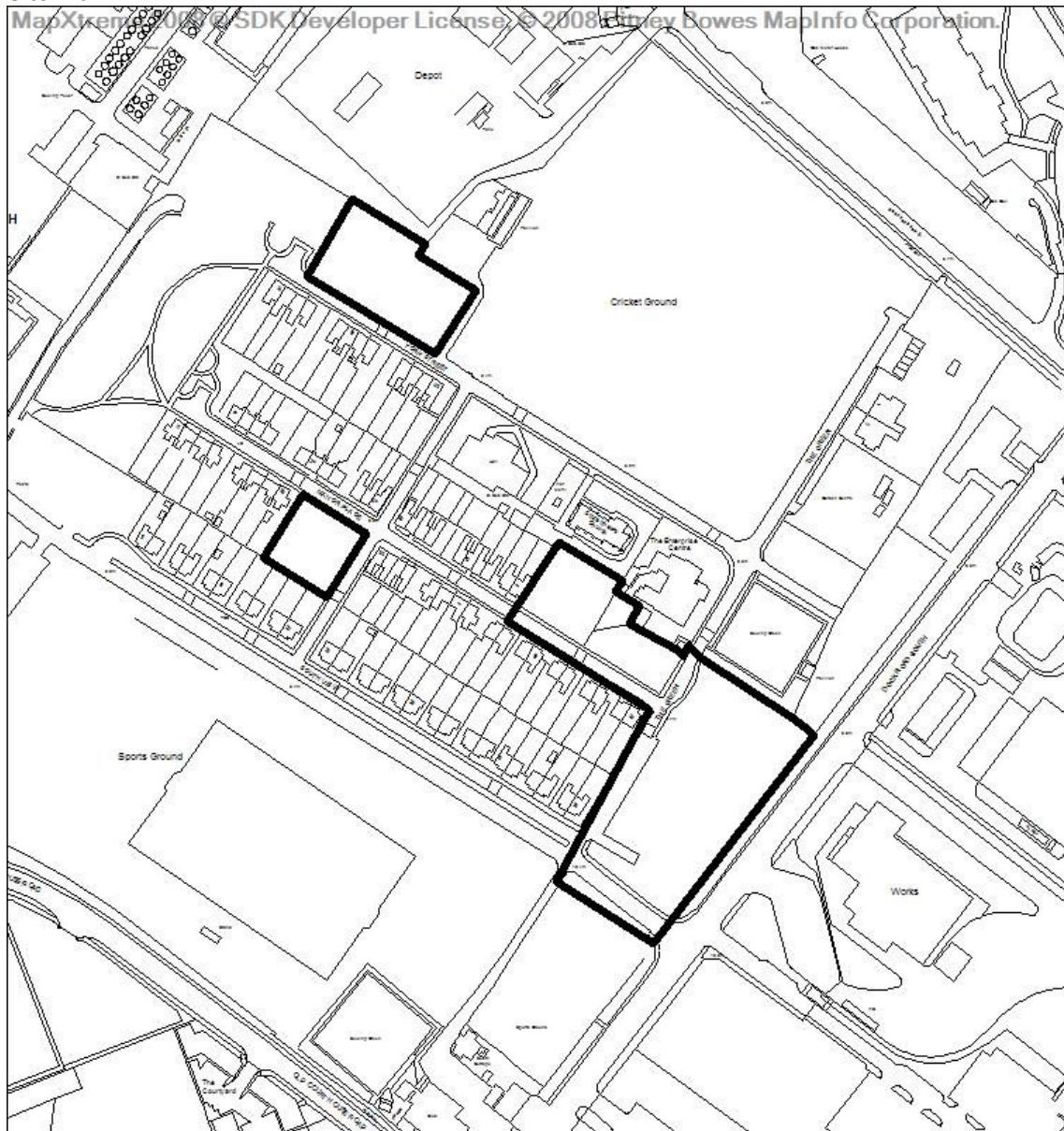
Location:
Proposal:

Manor Place, Bromborough, Wirral, CH62 4TU
This application is for a development of 40 new affordable houses, in Bromborough Pool Village. The new houses are 2 storey, three bed five person houses, which meet modern standards such as the Code for Sustainable Homes Level 3.

Applicant:
Agent :

Riverside H. A. Ltd
Ainsley Gommon Architects

Site Plan:



Development Plan Designation:

Bromborough Pool Conservation Area
Sports Ground
Primarily Residential Area
Primarily Industrial Area

Planning History:

APP/06/5026 - Erection of 48 New Dwelling Houses - Approved 10.01.2007

Summary Of Representations and Consultations Received:

Having regard to the Council's Guidance on Publicity for Applications 98 neighbour notifications were sent out to nearby properties and a Site Notice displayed on site. A Press Notice was also displayed in the Wirral Globe.

Letters of objection have been received from the occupiers of 33 Southview; 55 and 56 Manor Place, and; 24 Terminus Road.

The Bromborough Society has raised the following concerns (summarised):

1. The new designs are not in keeping with the look of the village;
2. Bromborough Pool has a conservation area to protect;
3. The number and locality of the houses will cause inconvenience and stress to established residents in connection to the lack of parking available to those residents;
4. Three of the areas of land were never residential and used for recreational purposes and garages;
5. Parking became a problem when the garages were demolished;
6. Six mature trees on the inside of the Dock Road South will have to be removed and north side of York Street;
7. Is contrary to UDP Policy CH22;
8. Previous houses on site 3 were demolished due to severe damp problems;
9. An improved window design is required;
10. The roofing materials should match the existing;
11. Gabling at the front would assist in blending in;
12. Car parking problems need to be addressed.

CONSULTATIONS

Liverpool John Lennon Airport - No objections.

United Utilities - No objections subject to conditions relating to separate drainage.

Health & Safety Executive - No objections.

Environment Agency - No objections subject to a condition to ensure surface water is adequately managed.

English Heritage - The architectural treatment given to those houses with frontages to South View represents a higher status of building that is more on show, the use of projecting porch/balcony could well be an appropriate means of articulating these buildings and reinforcing the distinction between the architectural treatment of the houses on different streets. Remain unconvinced that the use of the projecting porch/balcony frame feature across all areas is an adequate response to the character and appearance of the conservation Area. Need to introduce a third type of brick as a way of identifying the new housing. Urge that consideration be given to articulating Manor Place elevation with projecting bays. Disappointed to see that off street parking is proposed.

MerseyTravel - No Objections

Merseyside Environmental Advisory Service - No objections subject to conditions relating to Japanese Knotweed Method Statement, Landscape Management Plan, Waste Management, Code of Construction Practice, surface water drainage and soil management.

Director of Technical Services (Traffic & Transportation Division) - No objections subject to conditions and an informative relating to a scheme of highway works.

Director of Law, HR & Asset Management (Pollution Control Division) - Require a contaminated land condition. Concern has been expressed regarding the close proximity of the site to the vacated Onyx Waste Depot and the Uniqema site

Directors Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The proposal is defined as Major Development within the Council's Scheme of Delegation for Determining Planning Applications and is therefore required to be determined by the Planning Committee.

INTRODUCTION

Planning permission was granted in 2007 for the construction of 40 dwellings within the same plots proposed under this application. This current scheme entails the construction of 40 dwellings on land to the east of No. 72 Manor Place and No. 38 South View (18 New Houses), Land North of No's. 56-72 Manor Place (8 New Houses), Land Opposite No's. 29-37 Manor Place (4 dwellings) and land north of 10-30 York Street (10 new dwellings). The original scheme was for more traditionally designed properties. However, this scheme offers a much higher proportion of affordable and social housing and open market/outright sale units have been omitted from the application. This current proposal provides a more contemporary form of architecture.

PRINCIPLE OF DEVELOPMENT

The principle of providing additional dwellings within the village has been established through the previous approval. Nevertheless, The Town and Country (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area and the desirability of preserving the setting of the listed buildings.

The sites are located within the Bromborough Pool Conservation Area and for the main within the Primarily Residential Area as designated in the adopted Unitary Development Plan. The North Western section of the site is allocated for Primarily Industrial Use. Policy EM8 of the Unitary Development Plan only makes provision for business uses in Use Classes B1, B2 or B8. This part of the application is a departure from the Development Plan and has been advertised as such.

This departure aside, it is considered that the proposed development is acceptable in principle, subject to the requirements of Policy CH22 set out above and the guidance on preservation and enhancement of heritage assets contained in PPS5.

SITE AND SURROUNDINGS

The sites are located within Bromborough Pool Village, many of the houses are listed. The Bromborough Pool Conservation Area in which they are located has obtained an Article 4 Direction in view of its cohesion and integrity as an architectural and social composition.

The village comprises a grid iron layout with three principle streets of housing. There are three public buildings including a village hall, parish church and a school. The village is flanked by green space in the form of sports fields and a children's play area.

The village contains a variety of houses - the most utilitarian for the workers, with the middle and senior managers assigned more elaborate dwellings.

POLICY CONTEXT

The site is within the regeneration priority area where new housing development is permitted subject to the terms of the adopted Interim Planning Policy for New Housing Development, which requires

applicants to demonstrate there is no reasonable prospect of industrial land being taken up for employment use and that the Council's economic strategy would not be harmed.

RSS Policy DP1 makes it clear that a sequential approach should be taken with preference given to the development of previously developed sites before undeveloped land. This is supported by the Interim Planning Policy, which states that permission for residential development on Greenfield sites should normally be refused.

The desirability to preserve and enhance the Conservation Area together with the need to preserve the setting of its Listed Buildings and the future viability of the areas function as a self contained community are material considerations that may weigh in favour of the development and justify the release of land for housing.

The village was once larger than it is now, and there are historical justifications for reconstruction of housing on land previously developed for residential accommodation, not least because there has been little expansion of the housing stock in the immediate vicinity since the village was first constructed in the mid to late C19th. Several of the sites proposed for development here have been developed in the past, although they were cleared largely in the post-war period due to housing surpluses in the area.

PPS 5 states: " When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset".

UDP Policy CH22 states that the council wishes to:

- (i) retain the uniform, planned form of the historic, industrial workers village;
- (ii) preserve the open aspect of land providing an important separation function from surrounding modern industrial uses;
- (iii) retain unifying features of design, including the grid - iron pattern, terraces of four, materials, scale, elevational treatment and garden areas, and;
- (iv) retain the high wall bounding the village along Dock Road South.

The application is made by a Registered Social Landlord and will provide 100% affordable accommodation. The Council's Housing Strategy Team have confirmed that the proposal will meet an identified need in the area in terms of the provision of affordable housing and the type of accommodation being proposed.

In terms of the details of the proposed new dwellings, the layout and design must satisfy the criteria set out in policy HS4 of the UDP, which seeks to ensure a satisfactory standard of development. The proposals are considered to relate well to adjacent properties and will not result in a detrimental change in the area. The surrounding properties are predominately two storey with small front gardens and some off street parking. The proposed dwellings are comparable, in terms of density and scale and will not have a detrimental impact on the surrounding area.

APPEARANCE AND AMENITY ISSUES

The proposed dwellings will not strictly follow the original building line as new standards require parking, which in order to keep a similar housing density, means provision for parking will be to the front. The proposal of 40 family dwellings will have an overall density of 36.6 dwellings per hectare. This low density is in keeping with the current village layout of 39.4 dwellings per hectare.

The new development will have a traditional suburban layout with pairs of semi detached houses and short terraces forming conventional street scape. The houses have been designed to provide active frontages at corners and road intersections with entrances and gable windows positioned to enliven the elevations and improve security.

The applicants originally proposed to remove a number of trees from the eastern part of the site. The scheme has now been revised in co-operation with the Director of Technical Services to omit the hammer head at the head of site 1 (land to the south of the Green).

Site 1 - Land to the South of the Green

This vacant site at the entrance to the village is historically important to Bromborough Pool. The applicant has taken some steps to enhance the area by demolishing the garages that formerly occupied the site and grassing and maintaining this area. The site falls within the original boundary of the village as defined by the wall on Dock Road South. The proposal is to develop the site with a total of nine pairs of semi detached family houses, grouped in a similar manner to the original village housing. The development would effectively extend the South View Frontage towards Dock Road South.

Site 2 - Former Allotments on Manor Place

The allotments ceased their previous use some three years ago and are now vacant and overgrown, The applicants intend to develop the site with 4 pairs of semi detached, two storey dwellings. The new housing stock will follow the pattern of the adjacent properties from the later phases of the village. The dwellings would not replicate the originals but would be respectful to their layout, scale and massing and would use appropriate modern materials.

Site 3 - Land on Manor Place

Manor Place is the main street of the village, with dwellings on both sides of the highway. The site was originally occupied by a terrace of four properties which included a corner shop. The application proposes a row of four properties which will occupy a similar foot print of the original and aligned with the original building lines. The new terrace will be similar in scale and massing to the original. As manor place is narrow and not designed for modern traffic, the applicants have proposed a small parking court at the rear to cater for the needs of the new properties.

Site 4 - Land on York Street

This site was formerly occupied by some of the earliest housing in Bromborough Pool. Old ordnance survey maps show that the site originally provided 16 family houses in four terraces. The new housing would be in the form of two terraces and one pair of semis giving a total of ten units.

Development on this site would have the added benefit of providing screening to the adjacent bin yard, which is a relative recent neighbour for the village and is unsightly when viewed from the village. The proposed development is designed to meet the Code for sustainable homes - Level 3, Housing quality indicators - as set by the HCA, Lifetime Homes, Secure by design and Building for Life. The applicants have advised that all the proposed properties have been designed to harmonize with the appearance and layout of the existing houses. The elevational treatment of the proposed houses has taken inspiration from the existing houses in the village with appropriate materials of brick and slate, but with a distinct character to reflect that they are a 21st C addition. In relation to the objections and concerns received in connection to this application, The following issues are considered -

The site is located within close proximity to industrial premises and utilities processing operations that take place in the surrounding area. However, it is considered that to build new housing to a conservation standard will aid the wider community of the village. This would otherwise be in danger of declining as a residential community. It is considered that by installing new housing, new life and vibrancy will be injected into the village, helping to achieve a critical mass of people necessary to support local facilities. It is important for the preservation of the listed buildings and the conservation area as a whole that continued investment is secured into the settlement.

When measuring the possible impact upon the amenity for future residents against the wider conservation regeneration issues, the proposed development will result in future residents having a level of amenity that is not any worse than the existing built fabric within Bromborough Pool Village. The scheme is considered to result in a development which aids the villages wider preservation and enhancement for its future generations. These are the principle embedded within PPS5 and UDP policy CH22.

In relation to the loss of trees, the scheme has now been amended, resulting in the retention of those trees on the Eastern part of the site. The applicant has submitted details of all soft and hard landscaping proposals. These involve the planting of a substantial number of new trees.

In terms of design, the new properties have been designed to harmonize with the existing dwellings with appropriate materials and proportions, but with their own distinct character to reflect the fact that they are a 21st Century development. In line with the opinions from CABI negotiations have taken place with the applicant and substantial amendments received to address as far as applicable, their comments.

SEPARATION DISTANCES

The proposed dwellings will be located on "infill" sites within an existing residential development. The interface distances of 21m and 14m between existing and proposed dwellings has been achieved and therefore potential issues of overlooking into habitable rooms is avoided thereby safeguarding the quality of the residential environment.

HIGHWAY/TRAFFIC IMPLICATIONS

There are considered no significant traffic management or highway safety issues. The Director of Technical Services (Traffic Management) considers that the proposal is unlikely to generate additional volumes of traffic and parking compared to the previous use. Originally, the village did have considerably more housing, but in the 1970s 34 houses were demolished as part of a clearance programme due to their poor condition. Each new dwelling has off street parking, there are therefore no objections to the proposal on highway grounds.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The development is in a sustainable location with access to public transport and local facilities. The dwellings will be built to a code for sustainable homes and will use energy efficient materials and building techniques.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The principle of residential development on these sites has already been accepted by a previous approval. The proposed infill residential development will not harm the street scene or the character of the Conservation Area and should aid in securing the long-term sustainability of the village, which would otherwise be in danger of declining as a residential community. It is considered that by installing new housing, new life and vibrancy will be injected into the village, helping to achieve a critical mass of people necessary to support local facilities. It is important for the preservation of the Listed Buildings and the Conservation Area as a whole that continued investment is secured into the settlement.

Summary of Decision:

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

It is considered that the proposed residential development would not introduce a significant amount of harm to the street scene or to the character of Bromborough Pool Conservation area. The proposal is acceptable in design terms and complies with PPG15, Policies CH22 and HS4 of Wirra's Unitary Development Plan and is therefore considered to be acceptable.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no gates fences, or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house fronting a road, other than those granted permission as part of this application.

Reason: To maintain the character of the development having regard to Policy HS4 (Criteria For New Housing Development) of Wirral Unitary Development Plan

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the enlargement of the dwelling(s) or any addition to the roof or the erection of a porch shall not be carried out.

Reason: Any such extensions have the potential to harm the character of the area and the amenity of nearby residents having regard to Policy HS4 (Criteria for new Housing Development) of the Wirral Unitary Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) once all dwellings have been erected, no new windows shall be introduced nor shall existing windows be altered in any elevation at any floor without the prior written approval of the Local Planning Authority.

Reason: Any such alterations have the potential to harm the character of the area and the amenity of nearby residents having regard to Policy HS4 (Criteria for new Housing Development) of the Wirral Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development shall be carried out if it would consist of or include the cladding of any part of the exterior of the dwelling(s) with stone, artificial stone, timber, plastic or tiles without the prior written approval of the Local Planning Authority.

Reason: Any such cladding has the potential to harm the character of the area and the amenity of nearby residents having regard to Policy HS4 (Criteria for new Housing Development) of the Wirral Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) the erection of any building within the curtilage of the dwelling(s) shall not be carried out without the prior written approval of the Local Planning Authority.

Reason: Any such extensions have the potential to harm the character of the area and the amenity of nearby residents having regard to Policy HS4 (Criteria for new Housing Development) 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 DQ3 of the Wirral Unitary Development Plan.

8. Prior to the removal of the tree/trees hereby approved, the size, siting and species of a replacement tree/trees shall be submitted to and agreed in writing by the Local Planning Authority. The replacement tree/trees shall then be planted on site in accordance with the approved details, in the first available planting season. Any tree that within a period of five years after planting, dies or, in the opinion of the Local Planning Authority, becomes seriously damaged or defective shall be replaced with another of the same species and size as originally approved in a timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policy GR7 of the Wirral Unitary Development Plan.

9. The development hereby approved shall be carried out in accordance with the original submission as amended by the drawings received by the Local Planning Authority on 2nd December 2011.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development and having regard to Police CH22 of the Adopted Unitary Development plan.

10. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water for each phase of the development has been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme should include provision for incorporating sustainable drainage systems (SUDS) in line with PPS25 and demonstrate that the rate and volumes of surface water run-off from the proposed development is no greater than the existing rate. The surface water disposal scheme shall be implemented and completed in accordance with the approved details concurrently with the remainder of the development. .

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to the water environment in compliance with WA5 Protecting Surface Waters of the Wirral UDP. To demonstrate that the requirements of PPS25 have been met. To ensure no likely significant effects on Natura 2000 sites.

11. In the event that significant ground contamination, not anticipated by the relevant remediation strategy, is encountered during development, the Local Planning Authority shall be notified immediately and an assessment with a timetable for proposed remediation measures shall be submitted for the written approval of the Local Planning Authority. To protect human health and the environment and prevent contamination of controlled waters, all works shall be suspended on the relevant part of the Site and any temporary contingency works needed to minimise any risks associated with such ground contamination shall be implemented in accordance with a specification to be submitted for the written approval (as soon as possible after its discovery) of the Local Planning Authority. The approved remediation measures shall then be implemented and completed in accordance with the agreed timetable. .

Reason: To protect human health and the environment and prevent contamination of controlled waters in accordance with Policy PO5: 'Criteria for the Development of Contaminated Land' & Policy WAT2: 'Protection of the Water Environment' of the Wirral Unitary Development Plan and National Planning Policy Statement 23: 'Planning and Pollution Control

12. Prior to the commencement of development approved by this planning permission (or such

other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The remediation strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- v. Upon completion of each phase of the development a verification report must be produced that demonstrates the effectiveness of the remediation carried out. The verification reports should address any potential risks associated with cross-contamination from adjacent phases awaiting remediation.

The approved scheme shall be implemented and completed concurrently with the remainder of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy PO5 Criteria for the Development of Contaminated Land Policy of the Wirral UDP.

13. No phase of development shall begin until a assessment has been undertaken identifying the requirement for a scheme for protecting existing and proposed residential uses from vibration, has been submitted for the written approval of the Local Planning Authority. The Vibration Protection Scheme shall include such combinations of land separation, vibration control techniques and other measures, as maybe be approved by the Local Planning Authority, in the light of current guidance on vibration levels. The approved mitigation scheme shall be implemented and completed in its entirety before any of the units are occupied.

Reason: To ensure that the amenities of occupiers are not prejudiced by road traffic vibration in the immediate surroundings in accordance with National Planning Policy Statement PPS1: Delivering Sustainable Development, PPG24: Planning & Noise and UDP Policy PO3 Noise in the Wirral Unitary Development Plan.

14. Development shall not commence until a full scheme of works has been submitted to and agreed in writing by the local planning authority for the following items (The Site Number in each case relates to the Site Number indicated on Drawing 1194-SI-07-01 dated Dec 2009);
1. The relocation of those traffic calming measures (road humps) affected by the new vehicle accesses onto York Street (Site 04), Manor Place (Site 01) and the road to the immediate southwest of 38 Manor Place (Site 03).
 2. The amendment of the existing footway and parking layby and the provision of a new footway on South View adjacent to the west side of Site 01.
 3. The provision of two new junctions into Site 01 on the southeast side of The Green.
 4. The provision of a new footway on York Street to the south of Site 04.

Occupation shall not commence until the agreed works have been completed in accordance with the approved scheme.

Reason: In the interest of highway safety Highway safety.

15. The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority which includes measure to limit the surface water runoff from the development, which can be generated by a critical storm (including appropriate allowance for climate change) critical storm so that it will not exceed the runoff from the undeveloped site and not increase the risk of flooding off-site.

Reason To prevent flooding by ensuring the satisfactory storage of, and disposal of, surface water from the site.

Last Comments By: 21/10/2011 14:35:51
Expiry Date: 01/12/2011