

**Planning Committee**

06 March 2012

**Reference:**  
**APP/11/01410**

**Area Team:**  
**North Team**

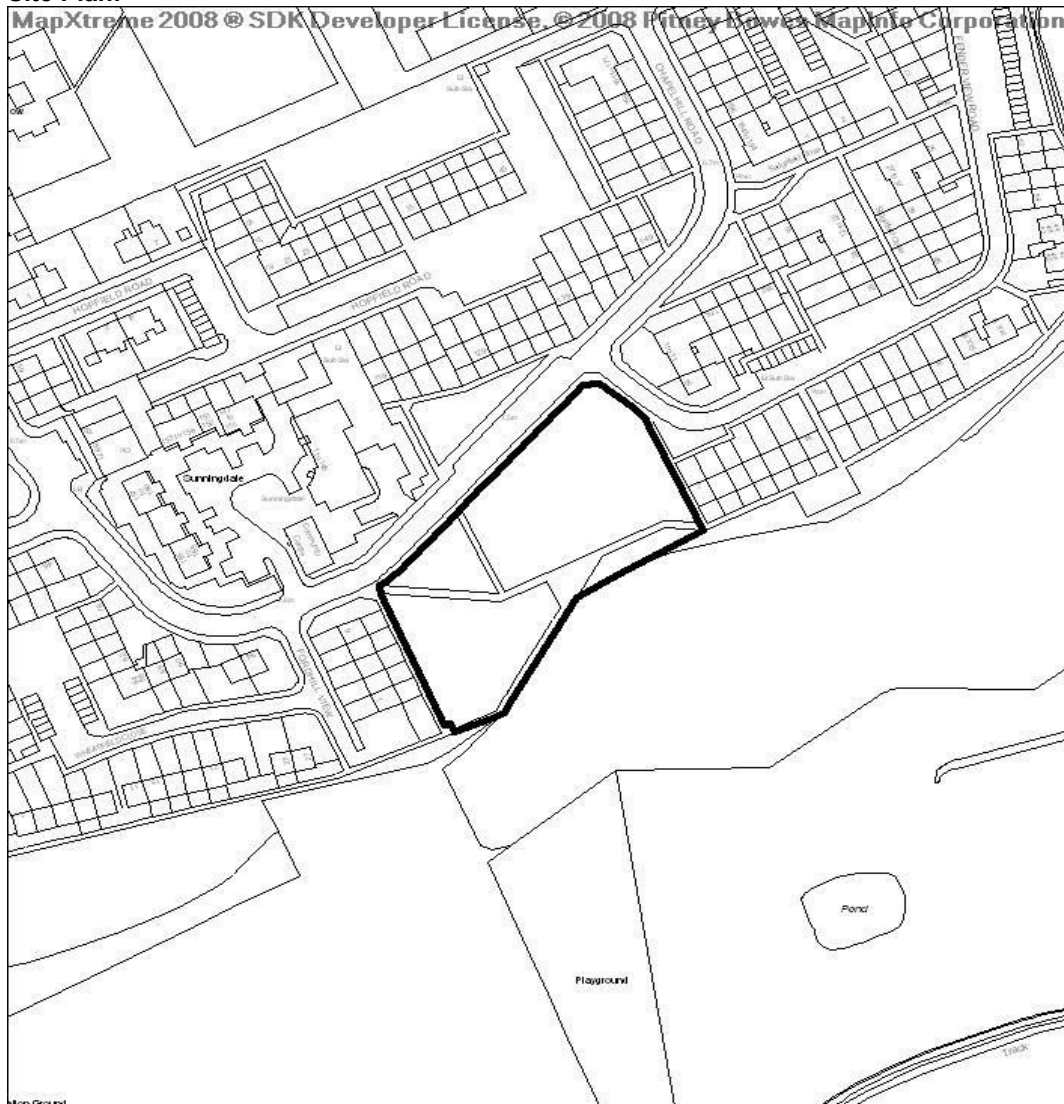
**Case Officer:**  
**Mr M Rushton**

**Ward:**  
**Leasowe and  
Moreton East**

**Location:** Unused Land, CHAPELHILL ROAD, MORETON, CH46 9RP  
**Proposal:** New build development of 10 no. 2-bed 4-person two-storey houses,  
18 no. 2-bed 4-person three-storey flats and 2 no. 2-bed 4-person two-  
storey flats (AMENDED PLANS RECEIVED 13/02/12)

**Applicant:** Wirral Partnership Homes  
**Agent :** Ainsley Gommon Architects

**Site Plan:**



**Development Plan Designation and Policies:**  
Road Corridor subject to Environmental Improvement

Primarily Residential Area

**Planning History:**

APP/1984/025188 - Re-roofing of flat blocks - Approved 31/07/1984

**Summary Of Representations and Consultations Received:**

REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Applications 31 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. At the time of writing, 3 representations have been received, making the following comments:

1. It was understood that the land would stay as an open area of land.
2. Why does the site have to be built on when so much was spent to create the area as it is?
3. The site presents a nice approach and route to the park beyond.
4. Loss of views.
5. Parkland should not be built on.

CONSULTATIONS

Director of Regeneration, Housing and Planning (Housing Strategy Division) - the proposals would re-provide affordable housing on a site that previously supported 49 social housing flats, achieving Code for Sustainable Homes Level 3 and Lifetime Homes where possible. There is a need identified in the Strategic Housing Market Assessment (SHMA) for an additional 740 units of affordable housing in the RSS Rural Area (to 2029), of which 184 would need to be two-bedroom. There is a need to improve the housing offer in the area. It has been confirmed that the homes would be Affordable Rent, rather than socially rented, as indicated in the planning application made, still falling within the PPS3 definition.

Merseyside Police Architectural Liaison Unit – a Design Out Crime Assessment (DOCA) was undertaken by Merseyside Police's Architectural Liaison Officer (ALO) on the applicant's behalf, which set out recommendations that would ensure the development could meet the principles of Secure By Design (SBD). The recommendations include, in particular, the need for secure boundary treatment to appropriate heights, hard and soft landscaping and lighting. In particular, the well used footpath to the Southern boundary of the site was highlighted as a potential crime generator, given its location adjacent to wooded areas. There is concern that this footpath may, should the development go ahead, present fear of crime issues for users. It was recommended that the woods should be fenced off using Weldmesh or similar material to provide maximum visibility and reduce opportunities for hiding and overall permeability through the new development.

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

Director of Technical Services (Traffic and Transportation Division) – no objection, subject to the imposition of a Section 106 Legal Agreement to secure a contribution of £1,250 to be paid as a contribution of £250 per-year over a five year period to part-fund the provision of a school crossing patrol on Chapelhill Road (given the proximity of the development to a primary school). A condition should also be imposed to secure the provision of pedestrian dropped kerbs at Chapelhill junctions with Fordhill View, Fender View Road and both proposed new roads prior to first occupancy. Lastly implementation of parking provision for cycles should be conditioned.

Wirral Wildlife – the site is near to Sandbrook Lane Pond Site of Biological Importance, designated for flora, dragonflies and amphibians. It retains much biological interest, in particular being a breeding bond for toads, a UK Biodiversity Action Plan species. Measures should be taken to protect them, since it is likely they feed on the application site. Amphibian fencing should be installed to prevent access to the site, as recommended in the TEP Report submitted. It is most unlikely that Great Crested Newts are present – there are no records of them. It is important that the development does not affect the hydrology around the pond. SUDs may present an opportunity to feed clean rainwater to the pond. The woodland should be protected during construction. The TEP report makes sensible recommendations which should be implemented – the development site does not present opportunity for species-rich grassland and therefore the developer should find creation in the park, adjacent to the

ponds.

**Director's Comments:**

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application seeks permission for the erection of 30 residential dwellings which is defined as Major Development and is therefore required to be considered by the Planning Committee under the Council's adopted Scheme of Delegation for Determining Planning Applications.

**INTRODUCTION**

The proposal seeks planning permission for 10 two-storey houses, 18 two-bedroom flats (in three-storey blocks), and 2 two-bedroom flats (in a two-storey block). The site is currently set out as community open space, the application outlines that it was established as such on a temporary basis in 2008 following demolition of low demand poor quality housing stock which currently occupied the land.

**PRINCIPLE OF DEVELOPMENT**

RSS Policy LCR4 requires plans for the area where the site is located to ensure provision for housing development addresses barriers to affordability and to meet identified local need. This is supported by the Interim Planning Policy 'New Housing Development', sets out criteria which enables local need to be considered for residential schemes outside the regeneration priority areas. The proposal is acceptable in principle subject to UDP Policies HS4 'Criteria for New Housing Development', HSG2 'Affordable Housing'.

**SITE AND SURROUNDINGS**

As noted above, the application site is generally level and currently set out as community open space, including mown grassed areas, footpaths, tree planting, rough grassland and a fenced (unequipped) children's play area adjacent to Fender View Road. Signage at the site confirms the area as 'Chapel Hill Community Open Space'. The applicant has submitted a statement outlines that it was established as such on a temporary basis in 2008 following demolition of low demand poor quality housing stock which currently occupied the land. Surrounding the site on three sides are residential uses – to the north, east and west are two-storey properties in short terraces, whilst to the north west a multi-storey residential block, Sandbourne is located adjacent to a Community Centre use. To the southern boundary runs a public footpath which continues through adjoining residential areas, and beyond that is a public park, wooded sections of which abut the development site.

**POLICY CONTEXT**

The Regional Spatial Strategy under Policy LCR 4 seeks to ensure that housing provision in rural parts of the city region such as Moreton meets identified local need and addresses barriers to affordability. The Interim Planning Policy 'New Housing Development' supports this approach by making provision for proposals that meet a local need, provided regeneration objectives are not undermined and there would be no harm to the character of the adjoining area. The proposed scheme for 30 units of residential accommodation would take place on a site that contained 49 dwellings that were demolished some 10 years ago. The development takes place in the context of a number of similar proposals in the immediate vicinity, with redevelopment of the site of the Sandbourne tower block granted in 2011 and currently underway, and applications anticipated for the site of the Melrose and Thornridge sites.

The application, made by a Registered Social Landlord, is to provide 100% affordable accommodation. The Director of Regeneration, Housing and Planning (Housing Strategy Division) has confirmed that the proposal would meet an identified need in the Strategic Housing Market Assessment (SHMA) analysis of data in the Leasowe and Moreton East Ward in terms of the provision of affordable housing and the nature of accommodation proposed. In addition the development will produce a type & form of accommodation which relates well to existing adjacent houses. It is therefore considered that the proposal assists the regeneration of the site as well as providing affordable accommodation to meet an identified local need.

The layout and design of the development must satisfy the criteria of HS4 in that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area. The surrounding uses are primarily two storey dwellings with gardens and some off street

parking. The proposed development is of a comparable density and scale, with 3-storey elements limited to the frontage facing Chapelhill Road, where there are existing buildings of higher scale and density (Sandbourne and the community centre). Given this, the development is considered sympathetic in character, and not to have potential to detrimentally impact on the surrounding properties or land uses. The proposed development includes gardens and off street parking which would address the criteria of HS4, within the limits established in Supplementary Planning Document 4 (SPD4).

The proposal has been designed with the principles of Secure by Design in mind, and Merseyside Police's Architectural Liaison Officer has raised no objections to the proposal subject to the inclusion of measures to reduce the potential for crime – in particular, those associated with the woodland areas and public footpath to the south. It is considered that appropriate measures – landscaping, boundary treatment (including a weld-mesh fence to the boundary of the site shared with the park), and lighting – can be secured through appropriately worded planning conditions.

### **APPEARANCE AND AMENITY ISSUES**

The design of the dwellings and flat blocks is simple and reflects the style of surrounding properties. The use of brick and render will link the new properties with the surrounding area, and with parallel development by the applicant that is underway in Stavordale Road. All houses have space for front and rear gardens and off-street parking, whilst the flats have parking areas and appropriate amounts of communal amenity space.

Amended plans have been received which respond to issues raised following the submission of the application. In particular, Blocks A, D and E have been re-oriented to provide a frontage onto the public footpath and the properties adjacent to the path have been set back to reduce the amount of hard boundary lining this route. The effect of this is to provide natural surveillance and openness to this important pedestrian and cycling route through the local area, but also to replicate the approach taken in other dwellings adjacent to the site.

The amended plans also re-site Blocks C and G to promote an open landscaped corner, again a feature of the local area. Block G has been redesigned as an L-shape to provide a better frontage onto 'New Road' than was initially proposed.

The amount of frontage car parking on Chapelhill has been greatly reduced, with visual amenity benefits and highway safety benefits (reducing the need for elongated drop-kerbs).

Whilst the site is currently laid out as open space, it is accepted that this represents a temporary use of the land, following the demolition of older housing stock taken on by the applicant. The site does not feature in the Council's open space assessments on this basis, and given the proximity of parkland and other open space uses, it is not considered that the loss of the open use of the site presents a reason for refusal of the application. No conflict is found with Planning Policy Guidance PPG17. Open views currently enjoyed by residents cannot be protected by the planning process, though it is considered that residential amenity would be preserved.

### **SEPARATION DISTANCES**

The proposed dwellings are adjacent to existing houses on three boundaries. The required interface distances of 21m (between habitable windows in principle elevations facing) and 14m (between a habitable windows in principle elevations and a blank gable), and achieved between the existing and proposed dwellings.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The proposal involves the provision of two new access roads to provide access to blocks A and D of the development. The layout is considered appropriate, and subject to a s106 Agreement for a school crossing patrol, and the imposition of conditions to secure pedestrian dropped-kerbs and cycle parking, there are no highway safety implications.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The development is in a sustainable location with access to public transport and local facilities. The dwellings will be built to code for sustainable homes level 3, using energy efficient materials and building techniques. Whilst provision is not made for Sustainable Drainage System (SuDS), as it is

claimed that the clay soil conditions are not suitable, attenuation tanks are provided to ensure that the development does not increase flood risk potential.

Whilst a number of young trees planted within the community open space would be lost as a result of the development, these have been assessed as of low value by an arboricultural assessment undertaken for the applicant, the conclusions of which are not disputed. A significant level of tree planting is proposed within the development scheme, which should retain a green 'feel' to the site, with corners retained for significant landscaping.

The site is in close proximity to the Sandbrook Lane Pond SBI (within Upton Park). It is considered necessary to ensure that the development does not affect amphibians which may currently use the site for feeding. A suitably worded condition would secure amphibian fencing provision. Given the temporary nature of the open space provided, and the small extent of species-rich grassland, it is not considered that a legal agreement seeking replacement grassland within Upton Park would meet the tests required for such agreements.

### **HEALTH ISSUES**

There are no health implications relating to this application.

### **CONCLUSION**

The proposal would provide high quality affordable housing appropriately designed to complement the surrounding residential properties and land uses. Whilst leading to the loss of a community open space, it is accepted that this use was a temporary one pending the redevelopment of the site.

### **Summary of Decision:**

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

The proposed development provides two and three storey residential dwellings and flats which will meet an identified housing need. It is not considered that the proposed layout will result in a loss of amenity to adjacent properties or be detrimental to the general character of the area. The proposals meet the requirements of UDP Policy HS4.

**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 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 Policies GR5 and GR7 of the Wirral Unitary Development Plan.

3. The development shall be carried out in accordance with the details contained in drawings received by the Local Planning Authority on 13<sup>th</sup> February 2012.

**Reason:** For the avoidance of doubt and in accordance with policy HS4 of the Wirral Unitary Development Plan.

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

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

5. The development shall be implemented utilising the facing and roofing materials submitted to the Local Planning Authority on 13<sup>th</sup> February 2012, unless an alternative material is submitted to and agreed in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt and ensure an acceptable form of development having regard to UDP Policy HS4 and SPD2.

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

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

7. Prior to the commencement of development a scheme of works detailing the provision of pedestrian dropped kerbs at the junctions of Chapelhill Road with Fordhill View and Fender View Road shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the first occupation of any of the dwellings hereby permitted.

**Reason:** In the interests of highway and pedestrian safety, having regard to UDP Policy TR9.

8. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to first occupation of any dwelling, in accordance with the details so approved.

**Reason:** To ensure a proper standard of separation between the dwellings hereby approved, and in the interests of amenity with respect to neighbouring property, adjoining land and the need to Design Out Crime.

9. Prior to the commencement of development, a scheme for the protection of toads shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include a specification for an amphibian barrier, and timetabled monitoring arrangements for the proposed scheme. survey methodology statement, . The

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

**Reason:** To ensure that amphibians which may forage on the development site are protected, having regard to UDP Policy NC1 and the submitted ecological assessment.

10. Prior to the commencement of demolition/construction the trees to be retained on the site shall be protected by chestnut paling fences 1.5 metres high erected to the full extent of their canopies or such lesser extent as may be approved by the Local Planning Authority, the fencing to be removed only when the development (including pipelines and other underground works) has been completed; the enclosed areas shall at all times be kept clear of excavated soil, materials, contractors' plant and machinery. The existing soil levels under tree canopies shall not be altered at any time.

**Reason:** To ensure that the trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained and kept in good condition, having regard to UDP Policy GR5.

11. Before any construction commences, samples of the materials to be used in the surfacing of the pedestrian and highway routes 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 Policies HS4 and TR9 of the Wirral Unitary Development Plan.

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

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

**Last Comments By:** 06/03/2012 14:45:48

**Expiry Date:** 05/03/2012