

Planning Committee

31 October 2013

Reference:
OUT/13/00826

Area Team:
North Team

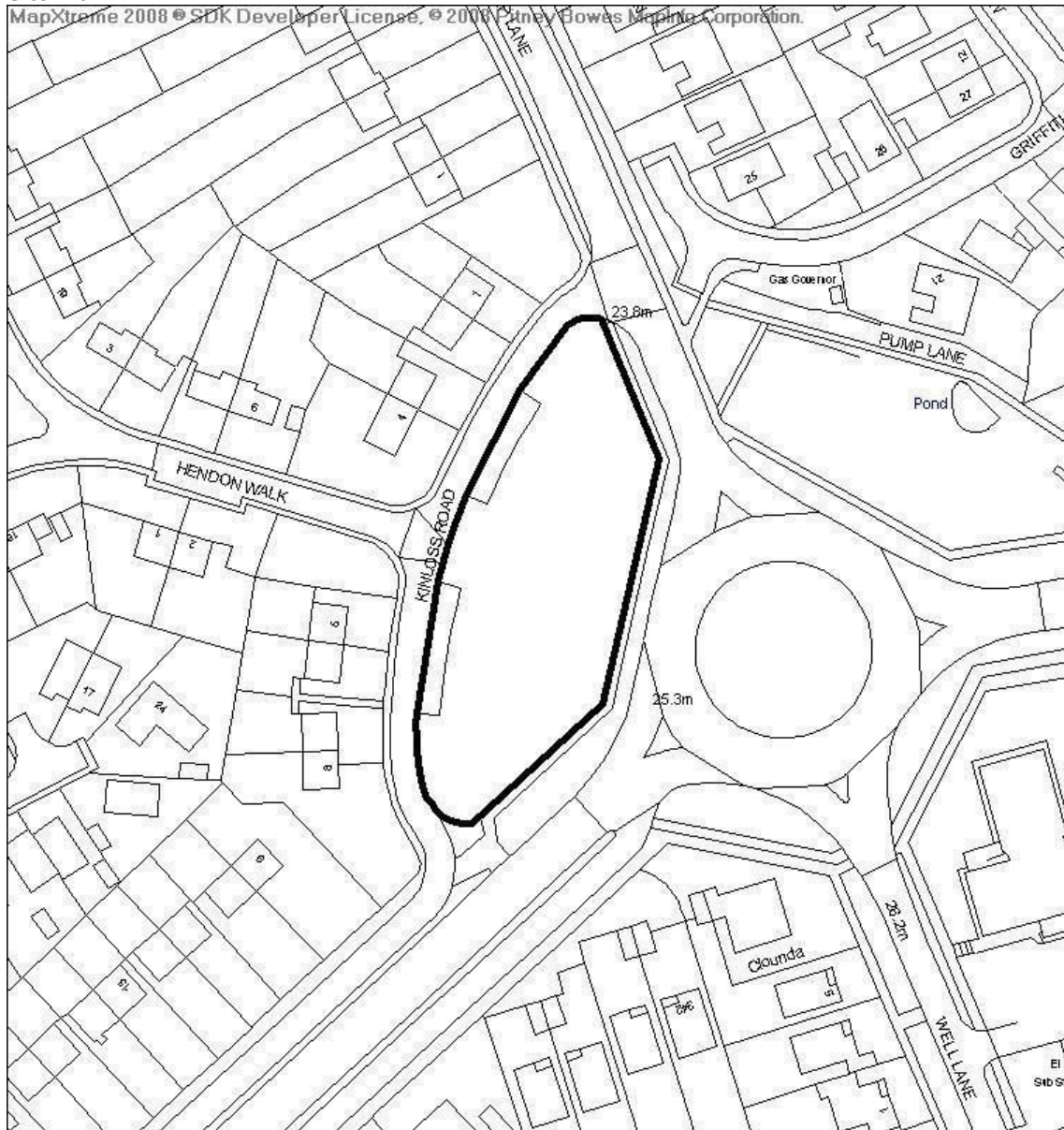
Case Officer:
Mr M Rushton

Ward:
**Greasby Frankby
and Irby**

Location: Paddock, KINLOSS ROAD, GREASBY, CH49 3PS
Proposal: Outline application for development of 4 residential units, and the provision of amenity open space.

Applicant: Mrs Glynn
Agent : CS-PES Planning Consultant

Site Plan:



Development Plan Designation:
Primarily Residential Area

Planning History:

Location:	Land between Kinloss Road and Frankby Road roundabout, Greasby. L49 3PS
Application Type:	Full Planning Permission
Proposal:	Erection of fencing and shed for agricultural use.
Application No:	APP/86/05782
Decision Date:	17/07/1986
Decision Type:	Refuse
Location:	Land east of (opposite) 1-8, Kinloss Road, Greasby. L49 3PS
Application Type:	Full Planning Permission
Proposal:	Erection of 1.5m high post and wire fence.
Application No:	APP/86/06863
Decision Date:	15/01/1987
Decision Type:	Approve
Location:	Land east of Kinloss Road, Greasby. L49 3PS
Application Type:	Full Planning Permission
Proposal:	Erection of a timber vegetable shed/ tool shed.
Application No:	APP/87/06955
Decision Date:	22/12/1987
Decision Type:	Returned invalid

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's adopted Guidance on Publicity for Planning Applications, 22 letters of neighbour notification were issued to adjoining residents and a Site Notice displayed. At the time of writing one representation of support has been received, and 23 representations of objection have been received from the occupiers of 16 properties - no.s 1, 2, 3, 4, 9, and 18 Kinloss Road, no.s 5, 11, 12 and 19, Halton Crescent, 23 and 24 Abingdon Road, 52 Eastway, 15 Chippenham Avenue, 6 Hendon Walk and 14 Cranwell Road. The grounds of opposition can be summarised as follows:

1. Highway safety concerns: the loss of lay-bys on Kinloss Road (or their use by the residents in the proposed development) would lead to on-street parking on Kinloss Road, which is a narrow road and deals with a significant traffic flow from the estate – this would potentially lead to a very dangerous highway situation (for vehicles and pedestrians); the speed and current volume of traffic leaving the roundabout onto Pump Lane gives an existing highway safety problem to residents pulling into or out of Kinloss Road, which is very close to the roundabout and not visible to roundabout users, and to pedestrians crossing Pump Lane – any loss of visibility at this junction (to fencing, planting or buildings) would exacerbate this issue; additional parking on Kinloss Road would cause real difficulty to the safe access of emergency vehicles and delivery vehicles to the estate; congestion on Kinloss would divert traffic through the estate, with impacts to children who play there;
2. Concerns for amenities of occupiers of the proposed bungalows: back garden spaces would be too close to the roundabout, creating safety issues and noise issues.
3. Concerns at the outline nature of the application: the plans would be changed at a later date.
4. Construction impact concerns: noise pollution, construction traffic.
5. Tree loss concerns: all trees planted by 1981 are the subject of a Tree Preservation Order and have to be kept.
6. Concern at loss of green space: a visual amenity resource for the estate and particularly those close to the roundabout, despite poor stewardship by the owner; a recreational resource for children when the length of grass permits; there is local interest in use of the land for an open space purposes, as allotments, for a wildlife friendly 'pocket park' of amenity value; impact to the character of the area through loss of the open land.
7. Concern at loss of historic significance: this is one of the Wirral's few sites remaining with military heritage (as a former RAF estate) and a case for special status should be made recognizing its

significance; the land was an integral part of the RAF estate until 1980.

8. Layout issues: the proposed development would not be low density, and as such would not fit with the surrounding estate (which is approx 8 dwellings/hectare).

In addition, Hoylake and District Civic Society have objected to the proposed development, on the following grounds (summarised):

1. The site is an undeveloped Greenfield site and development would abandon the principle that development should focus on brownfield sites;
2. The site is designated as Green Space under the existing Unitary Development Plan and the emerging Local Development Framework and development would set a precedent for the development of the Borough's existing Green Spaces;
3. The site, with grassland and trees, acts as a buffer zone between Kinloss Road and the roundabout, and complements the area of open space on Pump Lane. The fact that the RAF left this area open recognised this need for the land to act as a buffer;
4. Impacts to character and visual amenity.

CONSULTATIONS

Head of Environment and Regulation (Traffic and Transportation Divisions) – no objection subject to the requirement for visibility splays to be achieved at each vehicular access (2.4m by 2.4m), or boundary walling/fencing/hedging to be kept no higher than 1m over the length of the visibility splay.

Head of Environment and Regulation (Environmental Health Division) – no objection.

Merseyside Fire and Rescue – no objection, observations/information provided regarding water supplies and fire appliances.

Director's Comments:

Consideration of this application was deferred at Planning Committee on 26th September 2013 to allow for a formal site visit.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Clements requested this application be removed from delegation and considered by the Planning Committee following representations she has received from local residents: that the application would lead to loss of what the Unitary Development Plan describes as 'amenity greenspace', and; raising concern at traffic and the amenity of existing properties.

PROPOSAL

The proposed development is for the development of 4 residential dwellings and an area of private undeveloped land, located on a vacant greenfield site adjacent to the Frankby Road/Pump Lane/Well Lane roundabout in Greasby. The application site is currently fenced and supports grassland and a number of young trees and shrubs. The application submitted seeks the grant of permission in Outline, with all matters reserved. Further applications would be required to secure the detail of the development, including the layout, appearance, scale, access arrangements and landscaping of the site. The indicative layout, house type and streetscene details submitted do, however, indicate that the development would consist of four detached two-bedroom bungalows. A landscaped area would comprise approx. 650 square metres of the site, in a strip running through the application site (corresponding to electrical servicing which crosses the site).

SITE AND SURROUNDINGS

The application site is an area of open land which has previously been used as grazing, and as a consequence is referred to in representations as 'the paddock' or 'the donkey field'. The site is broadly semi-circular in shape, does not support any buildings, and includes within it two lay-bys accessible from Kinloss Road. There are a number of trees, predominantly to the eastern edge of the site.

The site is bordered to the west (beyond Kinloss Road) by residential properties which formed part of a former RAF estate and are uniform in design - two-storey, with generous spacing and front and rear garden areas. The roundabout junction is to the east, with Frankby Road and Pump Lane to the south and north.

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

National Planning Policies

The National Planning Policy Framework ('NPPF')

Joint Waste Local Plan for Merseyside and Halton - formerly adopted with effect from 18 July 2013

Wirral Unitary Development Plan

Policy HS4 – Criteria for New Housing Development

Policy GR5 – Landscaping and New Development

Policy GR7 – Trees and New Development

Other

SPD4 – Parking Standards

The application site is designated within the adopted Unitary Development Plan (UDP) for Primarily Residential Purposes. As such, the principle of development is acceptable, subject to consideration of UDP Policy HS4 and any other material considerations.

Policy HS4 establishes a number of criteria that must be met if new housing development is to be permitted, as follows:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- (iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;
- (v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- (vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- (vii) the provision of adequate individual private or communal garden space to each dwelling.

The policy also sets out that for all proposals whose main elevations are parallel to other residential properties, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

The proposal is in outline at this stage, and so conclusions cannot be drawn on matters of detail, however, it is considered that the indicative plans demonstrate that a number of the criteria of the Policy could be met at the reserved matters stage – notably criteria (i), (iv), (v), (vi) and (vii) and the requirements for adequate separation from adjoining properties. The proposal is for a relatively low density proposal, which would achieve a relatively generous spacing, provision of private amenity space, would retain trees at the site, and conditions might be imposed either at the Outline or reserved matters stage to secure landscaping including boundary treatment in compliance with UDP Policies GR5 and GR7. The requirements of UDP Policy GR6 do not apply to development of this scale (provision of public open space is only required in developments in excess of 35 family dwellings), but in this case the applicant has proposed the inclusion of 650 square metres of landscaped amenity space. The proposal is for bungalows at a density of less than 20 per hectare – whilst it is recognized that some adjoining residential areas may achieve even lower densities, the

scale, density and form indicated would be sympathetic – indeed there are bungalows of a similar form and density to the south east of the site (across Frankby Road).

Turning to criteria (iii), no indicative detail has been provided in relation to car parking. Consideration of this issue, including the potential impact of the development to the lay-bys currently located within Kinloss Road, must therefore be given at the reserved matters stage. That said, the spacing of properties indicated does not highlight conflict with this criteria, nor with SPD4 – and the Head of Environment and Regulation (Traffic and Transportation Divisions) has raised no objection to the proposed development. Highway and Traffic Implications are considered in full below.

Considering criteria (ii) - the character of the area, an indicative view of the site from the roundabout is provided, and the supporting planning statement submitted suggests that at the reserved matters stage landscaping would be enhanced both around the residential properties (hawthorn hedging and wildflower planting to the southern boundary for example), and in the section proposed as public amenity open space (where there would be opportunity for street furniture, diverse flora, and pathways). The bungalows outlined might be designed so as to incorporate some of the features and/or materials of the housing to the north. Concerns had been raised at the impact of fencing on the southern boundary of the site – but permitted development rights might be withdrawn to ensure that appropriately designed boundary treatment is utilized on this public boundary. Given this, the development would not form an alien feature in the outlook from the existing properties at the site, nor from the public viewpoints on Frankby Road. The development would therefore meet criteria (ii).

Paragraph 74 of the NPPF outlines the national guidance on planning for open space, 'open space' being defined as all open space of public value. In this instance the application site is not accessible to the public (its previous uses being for grazing). Its public value is thereby limited to visual amenity. Although a recent assessment shows there is shortage of publicly accessible open space in this area there is no requirement in this particular case for provision under UDP Policy HS4 & GR6.

The proposal to retain an open landscaped area portion would provide open space of some visual value from public vantage points, albeit on a smaller portion of the site. The inclusion within the development proposal of the offer of land as amenity open space forms a material consideration in favour of development. A planning condition would be imposed to secure this aspect, should planning permission be granted. The condition would ensure the delivery and subsequent maintenance of an area of open space in accordance with the application submitted.

NPPF establishes a positive presumption in favour of sustainable development, sustainable development being defined by paragraphs 18 to 219 of the NPPF, taken as a whole. Paragraphs 14, 73-74, and Part 6 of the NPPF are particularly relevant to this development proposal. Part 6 sets out the requirement for Local Planning Authorities to plan for new housing to meet identified needs, and a requirement to provide a 5-year supply of housing land. In terms of housing need and demand, Wirral's 2010 Strategic Housing Market Assessment (SHMA) update sets out a requirement for additional units of market new build housing in the Rural area (in which this site is located) over the period 2009-2029. Using the 'adjusted model' detailed in the SHMA, this equates to a need for 322 market two-bedroom properties (equating to 16.1 per year) over the 20-year period. The site would deliver 4 units of new build housing – in this need and demand context the delivery of market housing to meet an identified need is a material consideration in favour of the development.

Part 6 of the NPPF also sets out that housing applications should also be considered in the context of the presumption in favour of sustainable development. Paragraph 14 sets out the presumption in favour of sustainable development, noting that decisions should approve development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

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

Whilst the site is outside the definition of previously developed land set out in the NPPF and the core principles of the framework include the need to encourage the effective use of land by reusing land that has been previously developed, it must be noted that the site is accessibly located within the

urban area, accessible and well provided for by transport infrastructure and local services including shops, the library and public houses. Bus services on Frankby Road and Greasby Road are within easy walking distance, as is a shopping parade on Greasby Road.

The proposal can be considered a sustainable development (as defined by the NPPF paragraphs 18 to 219), and as such there is a presumption in favour of development.

APPEARANCE AND AMENITY ISSUES

In terms of residential amenity, as noted above, the spacing and form of development indicated is such that distances to existing properties are considered. Considering appearance, as noted above a reserved matters application would confirm the visual appearance of the dwellings.

SEPARATION DISTANCES

As noted above, the garden spaces to adjacent properties are long, and as such the Council's minimum separation distances are met by the development. The closest properties directly facing the development would be on Kinloss Road itself, where a separation distance of approximately 22m is achieved to the nearest property indicated.

HIGHWAY/TRAFFIC IMPLICATIONS

It is not considered that there are significant highway issues. The Director of Technical Services (Traffic and Transportation Divisions) has raised no objection to the development, though advising that visibility splays (2.4m by 2.4m) would need to be demonstrated at the junction of the driveway accesses with Kinloss Road. Concerns raised regarding visibility at the junction of Kinloss Road with Pump Lane are acknowledged, however, it is not considered that the development would impact highway safety at this junction. Reserved matters would need to be submitted confirming the number of off-street car park spaces, and the impact of the development to the availability of on-street parking (notably the lay-bys).

ENVIRONMENTAL/SUSTAINABILITY/HEALTH ISSUES

There are no significant environmental, sustainability or health implications.

CONCLUSION

The proposed development is not considered to have a detrimental impact to residential amenity or character. The contributions of the development to meeting identified housing needs, and to meet identified deficits of public open space, are material consideration in favour of development. The proposal would accord with the provisions of UDP Policy HS4, with the National Planning Policy Framework (paragraph 74) and Draft Core Strategy Policies.

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 is not considered to have a detrimental impact to residential amenity or character. The contributions of the development to meeting identified housing needs, and to meet identified deficits of public open space, are material consideration, in favour of development. The proposal would accord with the provisions of UDP Policy HS4, with the National Planning Policy Framework and Draft Core Strategy Policies.

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 or two years from the date of the approval of the last of the reserved matters, whichever is the later.

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

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

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

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

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

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality, having regard to UDP Policy GR5.

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

Reason: In the interests of residential amenity and to ensure a satisfactory appearance to the development, having regard to UDP Policy HS4.

5. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 27th Jun 2013, dated May 2013.

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

6. For the avoidance of doubt, in any subsequent application for the approval of reserved matters, the number of residential dwellings shall not exceed 4.

Reason: In the interests of residential amenity, and to define the permission, having regard to UDP Policy HS4 and the National Planning Policy Framework.

7. No development shall commence until a datum for measuring land levels and full details of existing and proposed ground levels, finished floor levels and the relationship with the highway taken from that datum, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented only in strict accordance with the details agreed and retained as such thereafter.

Reason: In the interests of residential and visual amenity, having regards to UDP Policy HS4.

8. No works or development shall take place until a scheme for the protection of retained trees - The Tree Protection Plan (section 5.5, BS 5837:2012, Trees in Relation to Design, Demolition and Construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

A; the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.

B; a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

C; a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

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

D; the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

E; the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).

F; the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).

G; the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).

H; the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.

I; the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)

J; the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.

K; the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).

L; the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).

The development shall be implemented in strict accordance with the approved scheme.

Reason: To protect trees which are considered to have significant amenity value to the area and to accord with Policy GR7 of the Wirral Unitary Development Plan.

9. The reserved matters application shall include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for the area of amenity open space indicated on approved drawing 0004/68/MA/04/13 (May 2013). The management plan shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out as approved.

Reason: In the interests of the amenity of the future occupiers of the development and to comply with Policies HS4 and GR5 of the Wirral Unitary Development Plan.

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

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

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

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

Last Comments By: 13/08/2013 08:01:39

Expiry Date: 22/08/2013