

**Planning Committee**  
**03 June 2015**

**Reference:**  
**DLS/15/00117**

**Area Team:**  
**South Team**

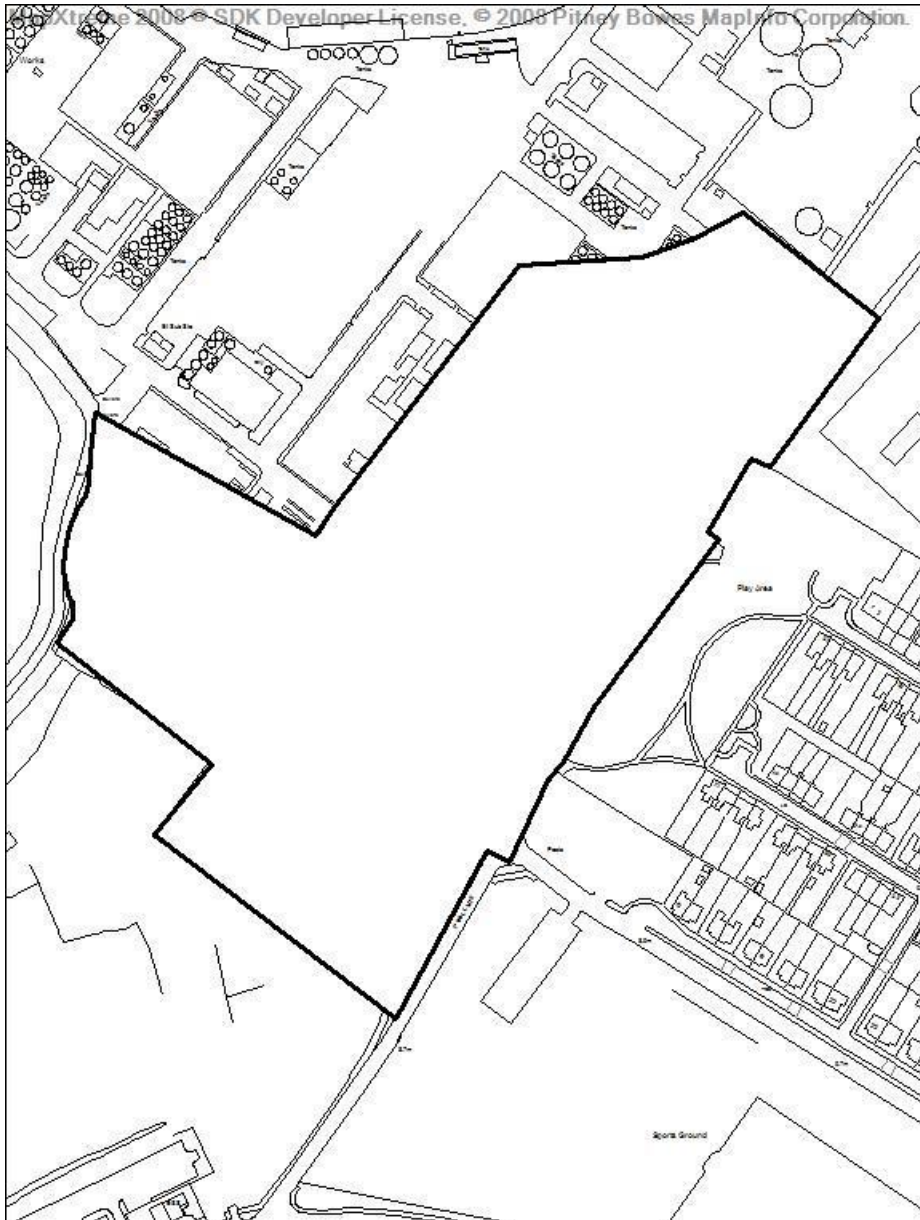
**Case Officer:**  
**Ms J Storey**

**Ward:**  
**Bromborough**

**Location:** POOL LANE, BROMBOROUGH  
**Proposal:** Reserved matters application for residential development of 169 No. dwellings, provision of areas of public open space, landscaping, access and associated works (pursuant to outline approval OUT/12/00177).

**Applicant:** Persimmon Homes North West  
**Agent :**

**Site Plan:**



## 1. Development Plan allocation and policies:

Primarily Residential Area  
Primarily Industrial Area  
Conservation Area (for illustrative purposes)

## 2. Planning History:

Location: Unichema Chemicals, POOL LANE, BROMBOROUGH, CH62 4UE  
Application Type: Reserved Matters  
Proposal: Phase one reserved Matters application for the construction of a Factory Unit, Office, Storage Facility and Car Park for Steel Reinforcement Production Company related to outline application OUT/12/00177

Application No: DLS/14/00351  
Decision Date: 30/05/2014  
Decision Type: Approve

Location: Unichema Chemicals, POOL LANE, BROMBOROUGH, CH62 4UE  
Application Type: Planning Pre-Application Enquiry  
Proposal: Residential development for 182 dwellings  
Application No: PRE/14/00232/ENQ  
Decision Date: 17/09/2014  
Decision Type:

Location: Former Croda Site, POOL LANE, BROMBOROUGH, CH62 4UE  
Application Type: Listed Building Consent  
Proposal: Partial demolition and essential repair works to Listed Building on former Croda Site Bromborough Pool.  
Application No: LBC/14/01276  
Decision Date: 04/12/2014  
Decision Type: Approve

Location: BROMBOROUGH POOL, RIVERSIDE WALK, BROMBOROUGH, CH62 4UE  
Application Type: Reserved Matters  
Proposal: Riverside Walk. Footpath and cyclepath running along side River Dibbin  
Application No: DLS/14/01293  
Decision Date: 01/12/2014  
Decision Type: Approve

Location: POOL LANE, BROMBOROUGH  
Application Type: Reserved Matters  
Proposal: Reserved matters application for residential development of 169 No. dwellings, provision of areas of public open space, landscaping, access and associated works (pursuant to outline approval OUT/12/00177).  
Application No: DLS/15/00117  
Decision Date:  
Decision Type:

## 3. Summary Of Representations and Consultations Received:

### REPRESENTATIONS

Having regard to the Council Guidance on Publicity for Applications 40 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report, no objections have been received from the occupiers of neighbouring properties.

## CONSULTATIONS

### **Head of Environment & Regulations (Traffic & Transport Division)**

**Head of Environment & Regulations (Pollution Control Division)** - No objection subject to the attached condition

**Environment Agency** - No objections

**United Utilities** - No objection subject to the attached condition

**Bromborough Society** - Concerns regarding retention of the sandstone wall, site is contaminated, housing would be ill advised, flooding is an issue, appearance of the dwellings should blend in more with the Victorian houses in Bromborough Pool, mix of materials is not satisfactory, where will the bins be located? suggest a condition prohibiting caravans and boats on view within the curtilage. The Wirral Society has the same concerns as The Bromborough Society.

## **4. DIRECTORS COMMENTS:**

### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

The proposal is defined as a major development as such, under the provisions of the scheme of delegation for determining planning applications (approved March 2014) the application is therefore required to be determined by the Planning Committee.

## **INTRODUCTION**

Outline planning permission was granted in 2012 for

- A mix of dwellings sizes and styles
- A range of new industrial units of varying sizes
- A new internal road layout
- New footpaths and cycle routes including a riverside walk
- New tree planting, open space provision throughout the site
- River restoration scheme
- Retention of existing listed building for future refurbishment
- Demolition of existing vacant building.

Part of the scheme relating to the industrial units has been implemented. This proposal concerns the reserved matters for the construction of 169 dwellings, provision of areas of public open space, landscaping, access and associated works.

The reserved matters is seeking permission for all matters.

## **PRINCIPLE OF DEVELOPMENT**

The principle of development has already been established and outline planning permission (application OUT/12/00177) for a mixed use development including a residential scheme on the application site was granted on 25 October 2012. While the residential element of the proposal was contrary to the Statutory Development Plan, the benefits from removing the old unused factory, the remediation of the site and the provision of modern industrial units, with prospects of creating jobs in an area of high unemployment, were considered to provide sufficient justification for overriding the terms of UDP Policy EM8 in this particular case. In addition, the proposals were also considered to provide significant environmental and amenity benefits, through supporting the ongoing sustainability of Bromborough Pool Village, securing the future use and long term maintenance of the Grade 2 listed building, allowing improved landscaping and providing an accessible green corridor along the banks of the Dibbin, with links to other adjacent sites within the area.

The principle of this proposal is therefore considered to be acceptable and the application will be assessed against both national and local planning policy advice, in particular considering the impact of the proposal on the listed building within the site, Bromborough Court House and to the Bromborough Pool conservation area, and the scale and layout principles as submitted. An affordable housing assessment was undertaken at outline stage.

## **SITE AND SURROUNDINGS**

The application site measures approximately 13.38 hectares and comprises of a former chemical factory, in the south east of the Borough. The factory was originally constructed in 1853 and has been vacant for the last four years. The existing site contains redundant plant and equipment which was dedicated to a particular industrial process which has become outdated and unsuitable for re-use on this site.

There is a mix of uses and landform's in the immediate area, concentrating –predominately on employment and residential uses. To the north and east the site is bounded by the River Dibbin and former Bromborough Dock and beyond that the River Mersey. Bromborough Pool Village was designated as a Conservation Area in 1986. The village was developed as a model village in 1854 to provide homes for workers in the candle factory. The village bounds the site to the South and South East.

Beyond the village lies the Wirral International business Park. To the west is a landscaped area containing Bromborough Court House, moat and fish ponds which is a scheduled ancient monument (SAM).

Access to the site is from Pool Lane and Old Court House Road via the A41 New Chester Road.

## **POLICY CONTEXT**

The Development Plan

The site is designated as part of the Primarily Industrial Area in the Unitary Development Plan and is part of the area identified by the North West Regional Development Agency as a Strategic Regional Site. It is also in a location where Assisted Area status will remain in force to 2013.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that good design is a key aspect which should contribute positively for making places better for people. Sustainable housing development should encompass good design and widen the choice of high quality homes. Development should also make a positive contribution to an area and use opportunities to improve the character of the area.

Wirral Unitary Development Plan

Policy URN1 Development and Urban Regeneration states that full and effective use should be made of land and focuses on the importance of bringing neglected, unused or derelict land into use.

Policy EM8 - Development within Primarily Industrial Areas applies to sites within Primarily Industrial Areas where uses falling within classes B1, B2 and B8 will be permitted in addition to proposals for the extension or expansion of existing businesses.

Policy HSG2 (Affordable Housing) of the UDP states that the Local Planning Authority will negotiate with developers and housing associations the provision of affordable housing where appropriate.

UDP Policy GR5 The Local Planning Authority will require applicants to submit full landscape proposals before planning permission is granted.

Policy GR6 - Greenspace within new family housing development sets out the need to provide adequate public, open greenspace within development sites.

Policy GR7 - Trees and New Development sets out the criteria to assess the need to protect trees by having regard to health and structure of existing trees with a view to provide replacement trees.

Policy CHO1 Provides for the best examples of Wirral cultural heritage to be preserved and seeks to ensure that the case for preservation is fully considered when assessing all proposals for new development.

Policy CH22 Relates specifically with Brombrough Pool Conservation area and specifically seeks to preserve and retain the existing Village and its design features

Policy CH24 Development affecting scheduled ancient monuments including the Bromborough Court

house, Moated Site and fish ponds. It confirms that development proposals which destroy or damage or otherwise disturb features of archaeological

UDP Policy HS4 of the Wirral Unitary Development Plan sets out the parameters for acceptable residential development stating that the proposal should be of a scale which relates well to the surrounding properties with particular regards to existing form and density.

When assessing the impact of any residential development on existing and future neighbouring properties, the guidance advises that development should not result in a significant loss of privacy, daylight or sunlight for neighbouring properties, nor be visually overbearing or dominant when viewed from adjoining property. To achieve this, habitable room windows directly facing each other should be at least 21m apart. Main habitable room windows should be at least 14m from any blank gable. If there are any differences in land levels or where development adjoins that of a different ridge height, such as three storey development adjacent to two storey properties, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres.

UDP Policy TR9 requires off-street parking to be viewed on the context of overall transport policy and particularly, the need to reduce travel by private car, especially within areas that are well served by public transport.

UDP Policy TR12 requires provision of cycle parking where it is considered to be both practicable and desirable.

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

#### Heritage and Conservation

The NPPF advises that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, LPA's require the submission of an appropriate desk-based assessment and, where necessary, a field evaluation.

In determining planning applications, paragraph 131 of the NPPF requires LPA's to take account of: -

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The Framework states that LPA's should assess whether the benefits of a proposal for enabling benefits, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweighing the disbenefits of departing from those policies.

#### Impact on Heritage Assets

A grade 2 Listed building is located to the immediate west of the application site. The building was originally the office building for the candle factory with its Italianate clock tower that is visible around the site and across to Bromborough Pool Conservation Area.

#### Bromborough Pool Conservation Area

The applicants approach to the proposed residential development has been to follow the grid-iron pattern of the village and extend this across Pool Lane to retain the longer vistas into and through the Conservation Area. This would also help to ensure that impact on the setting of the Conservation Area

and Listed Building would not be unduly significant.

While it can be expected that the design of the new houses will not replicate those in the original village, the proposed layout does draw its inspiration from the Victorian Village with similar groupings of houses, fronting onto roads and leaving satisfactory garden spaces at the rear.

#### Scheduled Ancient Monument and Archaeology

Immediately adjoining the site is the scheduled ancient monument on the site of the former Bromborough Courthouse. The site is in separate ownership and any works within the site would be subject to Scheduled Monument Consent. The proposed development will not affect the setting of the SAM

The archaeological report that accompanies the application recommends the undertaking of a site evaluation at sensitive locations within the site, mostly those adjacent to the scheduled monument. Although much historical information in relation to the history of the courthouse site survives, we know very little about its archaeological remains and their significance - little excavation has taken place in recent times. In addition to the presence of mediaeval building remains on site, the opportunity should be taken to investigate environmental and landscape changes on the site, including prehistoric remains, geomorphological features such as watercourses and earthworks.

A written scheme of Investigation for a Scheme of Archaeological Trial pitting and Watching Brief has been prepared.

#### **APPEARANCE AND AMENITY ISSUES**

The National Planning Policy Framework recognises the importance of requiring good design in development. Paragraph 56 states that: -“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”

#### Section 106 and phasing

A section 106 agreement has been agreed which sets out various obligations for the future development of the site including the phasing, works to the Listed Building, provision of public open space and the riverside restoration scheme.

A phasing plan accompanied the application which identifies the construction phases for the development. The applicants have confirmed that the various trigger points in relation to the commercial development will be adhered to. Planning permission has been granted for part of the first phase of the commercial development and work has commenced on site. (DOS/14/01276)

In relation to the listed building, a planning application is being prepared for the conversion to apartments. The works are to be completed prior to the occupation of the 120th dwelling. Listed building consent has been granted for the refurbishment (ref LBC/14/01276)

The applicant has advised that a scheme will be submitted prior to the commencement of development. The landscaping and layout of the public open and layout of the public open space has been previously agreed and incorporated within this scheme.

The proposed river restoration scheme has been approved (ref DLS/14/01293). The section 106 requires the scheme to be implemented prior to the occupation of the 160th dwelling.

#### Design and layout

The submitted scheme includes a mix of detached, semi-detached and terrace properties. The proposed dwellings are a mix of 2 and 2.5 storey properties. It is considered that this mix and size of the house types will help promote a mixed community.

The internal road network will incorporate a series of private shared driveways to encourage off road parking. The applicants advise that the internal Road layout is designed to promote low vehicle speeds with different materials being used to demarcate changes in pedestrian and vehicle priorities.

Following initial consultation with the Local Planning authority, consideration has been given to the

principles set out in the masterplan that accompanied the outline application.

The proposed layout reflects the grid pattern of the original layout together with the spacing standard of Bromborough Pool. The houses are generally semi detached and short terraces, following the streetscapes and pattern of the village. Properties will now face onto the Scheduled Ancient monument and the main parking courts have been removed. In terms of pedestrian permeability, an additional footpath connecting the residential part of the site with the commercial development. Following post application negotiations, the applicants have enhanced the landscaping and reduce the original amount of hardsurfacing to the front of properties. There are also links to the public open space and riverside foot and cycle path.

The proposed landscape buffer to the northern boundary of the site will create a buffer between the residential and commercial areas of the scheme. It is also considered that there are long vistas in to and through the conservation area and park.

Side garden fencing abutting the highway has been set back in line with the gable wall and landscaping added to soften the appearance.

In terms of design, some of the key design features and architectural styles have been taken from the existing properties in Bromborough Pool Village. These include brick arched heads, bleu brick band courses. The majority of the houses will be faced in red and brown brick with some rendered properties located on landmark locations and vista ends. Chimneys will also be provided on a number of plots which will be visible from the public highway and conservation area. A number of plots along Pool Lane will contain timber windows , doors and garage doors which reflect the character of the conservation Area.

#### **SEPARATION DISTANCES**

The submitted layout supports the councils adopted separation standards

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no highway/traffic implications for this proposal

#### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no Environmental or sustainability issues relating to this application.

#### **HEALTH ISSUES**

There are no health issues relating to this application

#### **CONCLUSION**

The proposed scheme is considered to be of a scale, design and layout that complements the existing development at Bromborough Pool Village. The development will not result in any significant impacts on the amenities of neighbours of surrounding properties or future occupiers through over shadowing, loss of daylight or sunlight and poor outlook. It is considered that the proposal complies with Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

#### **5. Summary of Decision:**

Having regards to the individual merits of this application the decision to grant Reserved Matters Approval 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 scheme is considered to be of a scale, design and layout that complements the existing development at Bromborough Pool Village. The development will not result in any significant impacts on the amenities of neighbours of surrounding properties or future occupiers through over shadowing, loss of daylight or sunlight and poor outlook. It is considered that the proposal complies with Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

**Recommended**

**Approve**

**Decision:**

**Recommended Conditions and Reasons:**

1. Before construction of the units hereby approved reaches [above the level of damp proof coursing](#), samples of all the facing/roofing/window/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:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policies of the Wirral Unitary Development Plan.

2. Prior to the first occupation of the dwellings hereby approved, a sound survey (conducted using BS 4142:2014) shall be submitted by the applicant to the Local Planning Authority in relation to the impact of any proposed industrial and commercial developments, together with the impact from pre-existing industrial and commercial developments on the dwellings in the above planning proposal.

If such a survey identifies any dwellings where the rating level of the specific sound source exceeds the background sound level by 5 dB or more, a scheme of noise insulation to those dwellings shall be agreed in writing by the Local Planning Authority.

**Reason:** In the interest of residential amenity

3. Surface water from the site must be drained on a total separate system from foul water, with all the surface water flows generated from the new development being discharged directly in to the adjacent watercourse with the prior consent of the riparian owner.

**Reason:** To ensure a satisfactory form of development.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 2nd February 2015 comprising of

Site location and master plan  
Layout Plan PLB/PLO1H  
Alnwick house type elevations and floor plans  
Clayton house type elevations and floor plans  
Clayton Corner house type elevations and floor plans  
Handbury house type elevations and floor plans  
Rufford house type elevations and floor plans  
Roseburry house type elevations and floor plans  
Souter house type elevations and floor plans  
Winstler house type elevations and floor plans  
Hatfield house type elevations and floor plans  
Mosley house type elevations and floor plans  
Roseburry house type elevations and floor plans  
Kendal house type elevations and floor plans  
Single and double garage details - SGD-01  
House type legend  
Timber fence details - SDF05  
Plot divisional fence details SDF11  
Streetscene Phasing plan  
Drainage strategy Layout - 099- 500  
Materials schedule  
Materials details  
Cycle store details by T line  
Landscape Masterplan by TEP -D4953.001  
Boundary treatment by TEP - D4953.009



Construction Environmental Management Plan by Hydrock  
Statement of landscape design by TEP  
Design and Access Statement  
Written scheme of investigation for a scheme of Archaeological trial pitting and a watching  
brief by ARS

And amended drawings received on 7th February 2015  
Planning layout (Rev K)  
Street Scenes (Rev A)  
Material Schedule (Rev D)  
Amended house types and elevations.

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

**Further Notes for Committee:**

**Last Comments By:** 11/03/2015 08:47:24  
**Expiry Date:** 04/05/2015

