

Planning Committee

23 July 2015

Reference:
APP/15/00600

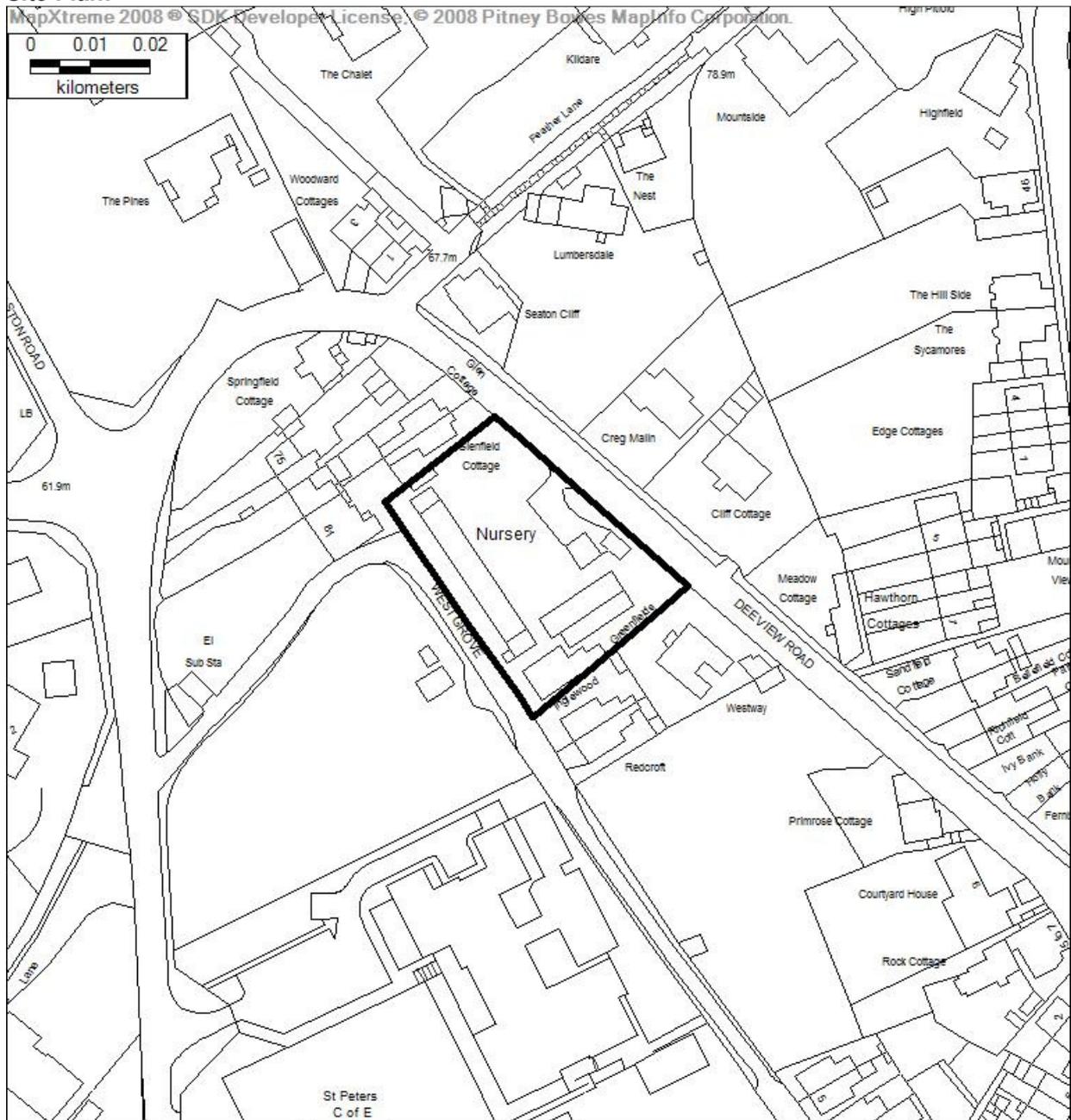
Area Team:
South Team

Case Officer:
Mrs C Parker

Ward:
Heswall

Location: Nursery and Allotment Gardens, DEE VIEW ROAD, HESWALL, CH60 0DJ
Proposal: Residential development, Erection of 3no detached dwellings with integrated garages
Applicant: T&R Stapledon
Agent : Paterson Macaulay & Owens

Site Plan:



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Development Plan allocation and policies:

Conservation Area (for illustrative purposes)
Primarily Residential Area
UDP Policies GR3, HS4, CH2, CH14, TR9
Waste Local Plan Policies WM8 & WM9

Planning History:

Location: Nursery and Allotment Gardens, DEE VIEW ROAD, HESWALL, CH60 0DJ
Application Type: Full Planning Permission
Proposal: Residential development, erection of 4no dwellings and 1 private 3 bay garage, demolition of 1no existing dwelling.

Application No: APP/14/01340
Decision Date: 21/01/2015
Decision Type: Withdrawn

Location: Laburnum Cottage, West Grove, Heswall, Wirral, CH60 0DR
Application Type: Full Planning Permission
Proposal: Erection of trellis fencing on top of existing sandstone retaining wall along Thurstaston Road boundary.

Application No: APP/01/06945
Decision Date: 12/12/2001
Decision Type: Withdrawn

Associated application

Location: Land Adjacent to, St Peters CE Primary School, Nursery Allotment Gardens, THURSTASTON ROAD, HESWALL, CH60 4SA
Application Type: Full Planning Permission
Proposal: Proposed erection of 4no residential units

Application No: APP/14/01341
Decision Date: 20/03/2015
Decision Type: Approve

Summary Of Representations and Consultations Received:**REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications, 12 notifications were sent to adjoining properties and a site notice was also displayed. At the time of writing this report a qualifying petition of objection containing 85 signatures has been received stating concern over:

1. The number of proposed dwellings
2. Design does not conform with Policies HS4, CH2 and CH14
3. Traffic and safety concerns
4. Potential removal of trees and natural screening

A letter of objection received on behalf of the occupiers of Cliff Cottage, Westway, Creg Malin, Lumbersdale, Glen Cottage, and Seaton Cliff, individual letters received from the occupier(s) of Cliff Cottage objecting due to:

1. Impact on the Conservation Area
2. Closing the gap between the clusters at Dee View Road would permanently obscure views across the Dee Estuary
3. Proposal would neither preserve or enhance the character of the area, which is a heritage asset
4. Highway and pedestrian safety
5. Widening the access would harm hedgerow
6. Existing developments in the area are causing disruption

Heswall Society - Dee View Road is a busy access route and the lack of parking for houses in the area along with the proposed development would have a detrimental impact on highway safety. The design and type of dwellings would have a dominating impact on the setting of the Conservation Area.

CONSULTATIONS:

Head of Environment and Regulation (Traffic and Transportation Division) - No objections

Head of Environment and Regulation (Pollution Control Division) - No objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection has been received relating to the proposal. As such, under the provisions of the Scheme of Delegation for Determining Planning Applications (approved March 2014) the application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for the erection of three detached dwellings on a site of a private former nursery and allotment gardens at Dee View Road, Heswall. A previous application (APP/14/01341) has been approved for the site to the south, which forms part of the former nursery/allotment site and faces Thurstaston Road.

PRINCIPLE OF DEVELOPMENT

Appropriate development is permitted on allotments that become surplus to requirements subject to Policy GR3 in the Unitary Development Plan (UDP). The site is designated a Primarily Residential Area where the principle of a residential development is acceptable. The site is also within Heswall Conservation Area where a residential development should make a positive contribution to the local character and distinctiveness quality of the area.

SITE AND SURROUNDINGS

The application site is currently vacant and was previously a nursery and allotment garden. The site fronts onto Dee View Road and is bounded by West Grove at the rear. It is physically separated by West Grove from the site previously approved under reference APP/14/01341 (which fronts onto Thurstaston Road) and has an open aspect onto Dee View Road. There is an existing hedgerow along the front boundary with an opening that serves as vehicular access to the site and this will remain as the access to the site. The area is predominantly residential in character and the properties within the immediate vicinity are a mix of detached and terraced properties that consist of a variety of materials that vary in age, design and size.

POLICY CONTEXT

The site is located within Heswall Conservation Area and is part of a Primarily Residential Area as shown on the UDP Proposals Map.

UDP Policy GR3 'the Protection of Allotments' expects the potential for use as open space to be taken into account. This particular site is not identified for protection under UDP Proposal GR4 and accessible public open space in the Ward of Heswall exceeds the UDP/Emerging Core Strategy standard of 2.4ha per 1,000 population. The site is within 460 metres of Heswall Dales (28.8ha), 300 metres of the woodland at Feather Lane (1.1ha), 200 metres of Dawstone Park (0.7ha) and is not considered to be suitable for use as a sports pitch.

UDP Policy HS4 - New Housing Development states that proposals should be an appropriate scale that relates well to surrounding property, in particular with regard to existing densities and form of development. The development should not result in a detrimental change in the character of the area; should provide appropriate landscaping and boundary treatment that contributes to a secure environment; access and services capable of satisfactory provision with the provision of adequate vehicular access.

UDP Policy CH2 - Development Affecting Conservation Areas states that proposals Policy CH14 in relation to Heswall Lower Village Conservation Area states that the principal planning objectives for the

area will be to:

(i) preserve the character of the old village core, including the setting and character of its former farm buildings and cottage scale dwellings;

(ii) preserve the character and setting of the surrounding area characterised by substantial property in large, well-landscaped grounds and by the denser more modest scale development to the north of Dawstone Park;

(iii) retain unifying features such as stone walls, the character of narrow lanes such as School Hill, Brow Lane, West Grove and Feather Lane and areas of mature landscaping. Notwithstanding designation as Urban Greenspace under Proposal GR2, special attention will be given to retaining the historic character of Dawstone Park.

UDP Policy CH14 'Heswall Lower Conservation Village Conservation Area' sets the principal planning objectives including the need to protect the character and setting of the surrounding area and to retain unifying features such as stone walls, narrow lanes and mature landscaping. The reasoned justification for the criteria set out in Policy CH14 states that Heswall Lower Village Conservation Area was designated in April 1979. Its boundaries are drawn to encompass the original nucleus of the small fishing village which pre-dated the suburban expansion of Heswall after the arrival of the railway in the late nineteenth century, as well as some of the earliest and best of the later suburban development. The heart of the original settlement, based around Village Road, Raby Close and The Lydiate, can still be discerned and retains much of the character of a typical English Village, including its church and rectory, public house, village hall, shops and groups of cottage scale dwellings, and former farm buildings such as Lydiate Farm and The Old Smithy. One objective of Policy CH14 is, therefore, to ensure that the distinctive character of the old village continues to be preserved.

A Character Appraisal & Management Plan has been approved for the conservation area. This sets out a description of the area in terms of plot sizes, topography and scale and design of older, and original traditional dwellings as well as the more recent developments in the area and recommends that where appropriate key views and the setting of the area should not be adversely affected.

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 requires development to provide measures for waste collection and recycling, including home composting.

The National Planning Policy Framework (NPPF) states that new development in conservation areas should make a positive contribution to the local area in terms of character and distinctiveness. In terms of the setting within the Conservation Area, the NPPF states that applicants should describe the significance of any heritage assets affected. This should be included within a Heritage Statement to be submitted with the planning application. When determining a planning application, the Local Planning Authority will take account of:

- The desirability of sustaining or 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

The NPPF supports sustainable housing development which encompasses good design and widens the choice of high quality homes. Development should make a positive contribution to an area and use opportunities to improve the character and quality of an area.

APPEARANCE AND AMENITY ISSUES

As set out in the Policy Section above, any development on this site needs to contribute positively to the character of the conservation area. The need to make a positive contribution to the conservation area does not preclude the principle of development rather that such development should respect its

surroundings in terms of layout, design and use of materials. In this case, the application proposes three detached dwellings, each with private driveways and adequate gardens to the front and rear. The layout, scale and use of materials have been chosen to match neighbouring properties and will include a mix of render, brick and grey/blue slate. The scale, design and choice of materials also reflect the properties recently approved under reference APP/14/01341 and are considered appropriate on this site, as they reflect the character of the area as a whole.

The proposal will not result in any loss of trees and the existing hedgerow along the rear boundary of the site with West Grove will remain. The existing access will be utilised to serve the development, although the existing hedgerow along the front boundary with Dee View Road will be cut back to achieve appropriate vehicle sight lines. The boundary treatments within the Conservation Area are recognised as features that should be retained and although some cutting back may be required for highway safety reasons, a landscaping planning condition can be imposed to mitigate this loss. This will ensure that the site is suitably landscaped and provide for satisfactory vehicular access and off road parking.

Objections have been received stating that the proposal will not enhance or preserve the character of the Conservation Area and raise issues over scale and design. The site is in private ownership and has not been used as a nursery for a number of years and is unlikely to be used as such in the future. The fact that the site is within a Conservation Area is not a reason to restrict development, rather than to ensure that the land is used in a sustainable way, taking account of its setting within a Conservation Area. The number of dwellings is considered appropriate as it allows for adequate spacing with the proposed dwellings set back from the road frontage. The properties in the area all vary in type, scale, age and design with a varied mix of materials. As such, the design principles adopted for the proposed development aim to pick up distinct features within the Conservation Area and have influenced the choice of materials. The proposal reflects the modest scale and character of the immediate area and will not detract from the special features of the Conservation Area.

It is considered that the scale, layout and design of the proposed dwellings is appropriate within the site and serves to make a positive contribution to the Conservation Area. The proposal has regard to the character of the conservation area and is designed to preserve both the character of the older village core as well as the modest scale developments and the setting of the surrounding area characterised by larger properties set in substantial grounds.

SEPARATION DISTANCES

Habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. The proposal complies with the normal separation distances.

HIGHWAY/TRAFFIC IMPLICATIONS

A number of objections have been received regarding existing highway and parking issues along Dee View Road and that this proposal will make the situation worse. It is considered that utilising the existing access with improvements will provide for satisfactory access and off street car parking and as such, will not add to the existing traffic and parking issues currently experienced along Dee View Road. Thus the proposal could be accepted within the terms of UDP Policy TR9 and SPD4.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposal is considered to make a positive contribution to the local area in terms of character and distinctiveness. The proposal is a sustainable housing development which encompasses good design and widens the choice of high quality homes

HEALTH ISSUES

The provision of sustainable housing could have a positive impact.

CONCLUSION

The layout, scale and design of the proposed dwellings represents an appropriate development within the Conservation Area. The proposal is considered to make a positive contribution to the local area in terms of character and distinctiveness. The proposal is a sustainable housing development which encompasses good design and widens the choice of high quality homes. The proposed development will not result in any harm to the amenities of the occupiers of adjacent houses and is in keeping with the

pattern of development and character of the Conservation Area. The site is not required for public open space and the proposal therefore accords with UDP Policies GR3, CH2, CH14 and HS4 and the National Planning Policy Framework and.

Summary of Decision:

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

The layout, scale and design of the proposed dwellings represents an appropriate development within the Conservation Area. The proposal is considered to make a positive contribution to the local area in terms of character and distinctiveness. The proposal is a sustainable housing development which encompasses good design and widens the choice of high quality homes. The proposed development will not result in any harm to the amenities of the occupiers of adjacent houses and is in keeping with the pattern of development and character of the Conservation Area. The site is not required for public open space and the proposal therefore accords with UDP Policies GR3, CH2, CH14 and HS4 and the National Planning Policy Framework.

Recommended Decision: Approve

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 development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 22 April 2015 and listed as follows: Drawing number 4512 P01 Rev C, 4512 L01 Rev A and 4512 P02 Rev B dated 03/15

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

3. NO DEVELOPMENT SHALL TAKE PLACE until samples of the facing and roofing 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 Policy CH4 of the Wirral Unitary Development Plan.

4. PRIOR TO FIRST OCCUPATION OF THE DEVELOPMENT details of a scheme for all boundary treatment shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented in full and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of amenity

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the property unless expressly authorised.

Reason: In order to protect the residential amenities of nearby occupants and to accord with Policy HS4 and CH2 of the Wirral Unitary Development Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure shall be erected on any part of the site other than that approved under Condition 10 below.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4, CH2 & CH14 of the Wirral Unitary Development Plan.

8. NO DEVELOPMENT SHALL TAKE PLACE until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy HS4 of the UDP.

9. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy GR5 of the UDP.

10. Notwithstanding the submitted details, NO DEVELOPMENT SHALL TAKE PLACE until full details of all fencing, walls, gateways and means of enclosure has been submitted to and approved by the Local Planning Authority. The fencing/walls/gateways and means of means of enclosure shall be implemented in full prior to the first occupation of the development hereby granted permission, in accordance with the details so approved, and shall be retained as such thereafter.

Reason: To ensure a proper standard of separation from, and standard of amenity with respect to neighbouring property and having regard Policies CH2 and HS4 of the Wirral Unitary Development Plan

11. Notwithstanding the submitted details showing the site sections, NO DEVELOPMENT SHALL TAKE PLACE until a datum for measuring land levels shall be agreed in writing. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum and submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

12. 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 policies WM8 and WM9 of the Waste Local Plan.

13. PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS 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 to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to policies WM8 and WM9 of the Waste Local Plan.

14. NO DEVELOPMENT SHALL TAKE PLACE (including any demolition works) UNTIL a Construction Management Plan or Construction Method Statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved details.

Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.

Reason: In the interests of the safe operation of the local highway network and having regards to visual and residential amenities of the area.

15. NO DEVELOPMENT SHALL TAKE PLACE UNTIL full details of the works to provide vehicle access to/from the site on Dee View Road, including surface water drainage systems, has been submitted to and approved in writing by the Local Planning Authority. The works as approved shall be completed prior to the first occupation of the dwellings hereby approved.

Reason: In the interests of highway safety having regard to Policy HS4 of the Wirral Unitary Development Plan.

Further Notes for Committee:

1. You are advised that consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works are undertaken at the developer's expense, including the relocation and/or replacement of street furniture as necessary. You are therefore advised to contact the Council's Highway Maintenance team on 0151 606 2004 prior to the commencement of development for further information.

Last Comments By: 10/06/2015 09:51:07
Expiry Date: 17/06/2015