

# Planning Committee

17 September 2015

Reference:  
**APP/15/00814**

Area Team:  
**North Team**

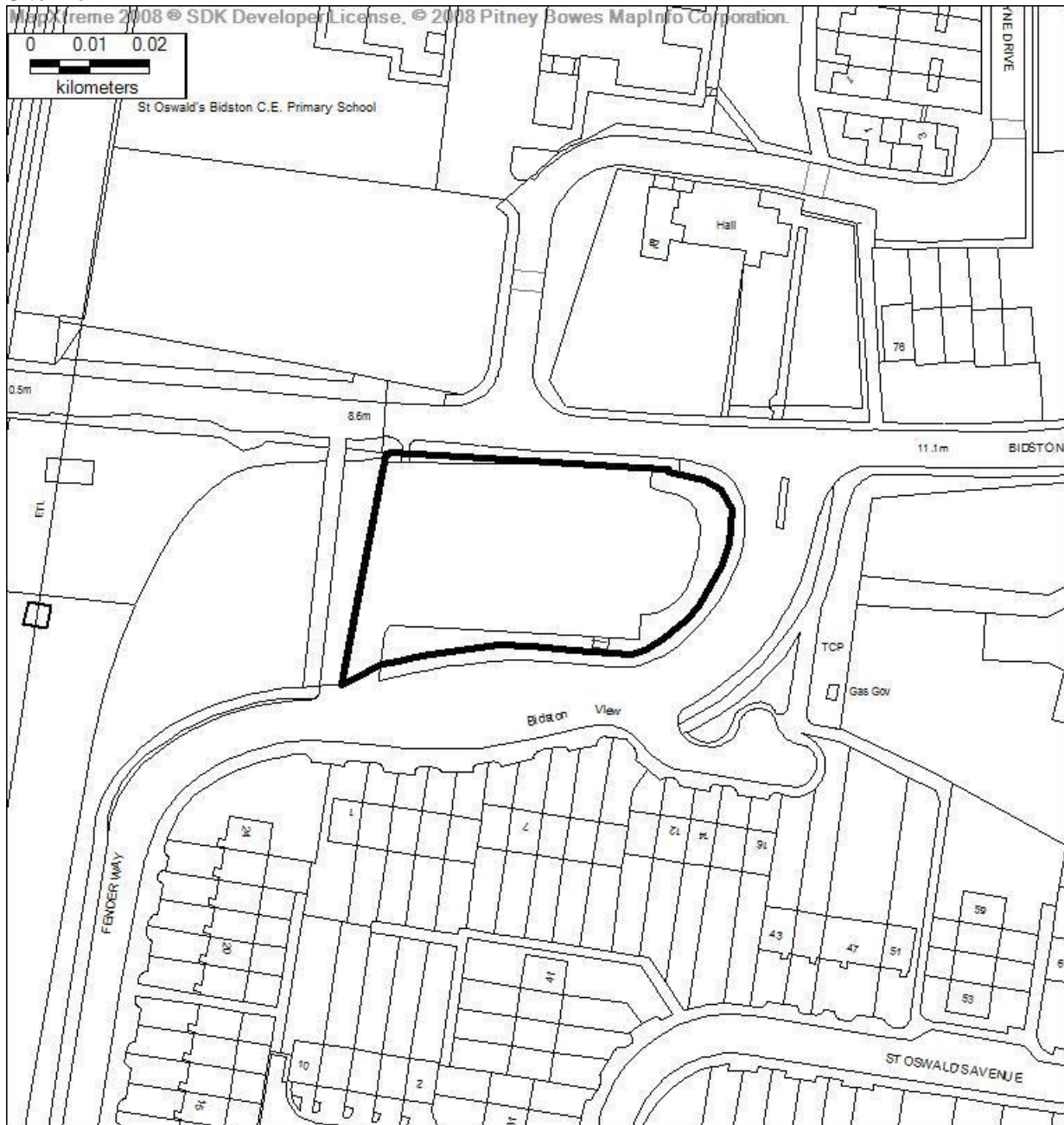
Case Officer:  
**Mr K Spilsbury**

Ward:  
**Bidston and St James**

**Location:** LAND AT BIDSTON VILLAGE ROAD, BIDSTON, CH43 7QT  
**Proposal:** 26no. Extra Care Apartment scheme (C2 use class) including communal living, dining and leisure spaces, staff facilities and car parking area.

**Applicant:** Verum Victum Healthcare  
**Agent :** Condy & Lofthouse Ltd

## Site Plan:



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**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

Location: The Corsair P.H., Fender Way, Beechwood. L43 9NR  
Application Type: Advertisement Consent  
Proposal: Erection of illuminated sign.  
Application No: ADV/90/06342  
Decision Date: 20/07/1990  
Decision Type: Approve

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

Having regard to the Council Guidance on Publicity for Applications, 50 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 7 objections and a qualifying petition of objection signed by 39 signatures have been received from the occupiers of Old School House, CE Primary School, 6 School Lane, 10 St Oswalds Mews, Tweed Cottage, Bidston Village Conservation Area Advisory Committee, Glen O'Brian (Bidston Village), 43 St Oswalds Avenue listing the following grounds:

1. Too much for the size of the plot
2. Not enough parking
3. Will result in traffic congestion and parking difficulties.
4. The proposal is too high, out of proportion and will over dominate the surrounding properties.
5. What type of people will be living in facility?
6. No amenities for residents
7. It will create noise and congestion
8. Traffic as a result of the development will be dangerous for children and pedestrians.
9. Impact of development on privacy of surrounding residential properties.
10. Impact on archaeology
11. Not in keeping with the character of the area.

**CONSULTATIONS:**

**Head of Environment & Regulation (Traffic & Transportation Division) - No Objections**

**Head of Environment & Regulation (Pollution Control Division) - No Objections**

**United Utilities - No Objection**

**Merseyside Fire and Rescue Service - No Objection**

**Director's Comments:****REASON FOR REFERRAL TO PLANNING COMMITTEE**

A qualifying petition of objection signed by 39 signatures has been received and as such, under the provisions of the current Scheme of Delegation for Determining Planning Applications, this application is required to be considered and determined by the Planning Committee.

**INTRODUCTION**

The proposed development is for the erection of 26 No. Extra Care Apartment scheme (C2 use class) including communal living, dining and leisure spaces, staff facilities and car parking area.

**PRINCIPLE OF DEVELOPMENT**

The site is designated as Primarily Residential Area within Wirral's Unitary Development Plan. Therefore the principle of sheltered housing i.e. where care is provided is acceptable subject to the relevant policies outlined below including Policy HS7 - Sheltered Housing of Wirral's Unitary Development Plan.

## **SITE AND SURROUNDINGS**

The site is located on the corner of Bidston Village Road and Fender Way and lies on the edge of the Bidston Village Conservation Area. The site formally accommodated the Corsair public house and car park but is currently vacant and derelict. The site is an island site with residential properties to the north and south and agricultural land to the east (Church Farm) and west.

Bidston Village Conservation Area borders the site to the north and east.

## **POLICY CONTEXT**

### **The Development Plan**

The site is designated as part of the Primarily Residential Area in the Wirral Unitary Development Plan (UDP saved by direction of the Secretary of State on 27 September 2007).

Policy HS4 (Criteria for New Housing Development) of the UDP 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.

UDP Policy HS7 sets out criteria for Sheltered Housing Development. It states that proposals for sheltered housing will be permitted subject to it being of a scale which relates well to surrounding property; adequate private amenity space being provided at a rate of approximately 10 square metres for every bed space, except where the proximity of open space or other features adjoining the site justifies a reduced provision, the site being easily accessible on foot to local shops and public transport and the proposal otherwise complying with Policy HS4.

Policy CH2 deals with development affecting Conservation Areas. This states that development located within, adjacent to, or otherwise affecting the setting or special character of a Conservation Area, will be permitted where the visual and operational impact of the proposals can be demonstrated to preserve or enhance:

- i. the distinctive characteristics of the Area, including important views into and out of the designated Area;
- ii. the general design and layout of the Area, including the relationship between its buildings, structures, trees and characteristic open spaces; and
- iii. the character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the Area.

When granting consent, special regard will be given to matters of detailed design, especially within main frontages and prominent elevations, and to the nature, quality and type of materials proposed to be used.

Policy CH25 looks at Development Affecting Non-Scheduled Remains. This states; In assessing development proposals liable to affect areas known or suspected to contain important un-scheduled archaeological remains, the Local Planning Authority will in particular consider:

- i. the potential importance of the archaeological interest of the site, in terms of the rarity, condition and estimated age of the remains; and
- ii. whether it is desirable or practical, owing to the fragility or importance of the remains, to preserve those remains in-situ.

Supplementary Planning Guidance 9 (Sheltered Housing and Residential Care Homes) is also relevant. This sets out the criteria for sheltered housing and residential care homes.

Supplementary Planning Document 4 (Parking Standards) is also relevant. The purpose of this document is to provide advice on the maximum levels of parking provision for motor vehicles necessary to serve new development or changes of use for retail, residential, industrial, non-residential institutions, and assembly and leisure uses.

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.

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) states that the purpose of Planning is help to achieve sustainable development and that good design is a key aspect which should contribute positively for making places better for people. It sets out that local authorities should plan for a mix of housing to meet the needs of different groups in the community. The NPPF also says that local planning authorities should resist inappropriate development of residential gardens where the development would cause harm to the local area. It is not considered that the proposed development is of such a scale to represent any harm to the local area, given the mix and density of development that already exists within the immediate locality. It is considered that the proposed development is in keeping with the principles of the NPPF.

### **APPEARANCE AND AMENITY ISSUES**

The proposal is for 26 extra care apartments with amenity space for residents and associated car parking. In accordance with UDP policy HS7 there is a need to ensure all of the properties have an acceptable outlook without compromising the amenities of the existing local residents.

The applicant states that the design of the development is a response to the surrounding area. Properties surrounding the site vary in architectural style, age and appearance and as such there is no singular overriding style. The proposed development is a contemporary design that combines both flat and pitched roof elements. The staggered pitched roof and individual gable elements are located on the north facing section of the building in order to reduce the perceived mass of the building adjacent to the Conservation Area. The 2 storey southern block faces out towards the Fender way and has a more contemporary feel. The block is softened by a landscaped amenity area and is set in from the boundary of the site. It is considered that the overall form of the building is a successful design solution for the site and complements the varied architectural style in the area.

Proposed external materials and a landscaping scheme have been illustrated on the application drawings and include a mixture of brick stone and rendered areas as well as hard and soft landscaping. The varied roof design gives the proposal a contemporary appearance. The flat roof areas are bordered with parapets and have concealed gutters. It is considered that if the proposed materials are high quality they will complement the eclectic mix of existing materials in the surrounding area. If members are minded to approve the scheme a condition for materials and landscaping will be imposed to ensure that they are right for the setting.

Concern has been raised from neighbouring properties with regards to the design of the development, its overall size and scale and its impact upon surrounding residential dwellings and the Conservation Area. As stated above the Local Planning Authority does not consider that the scheme over dominates the surrounding properties, introduces overlooking or results in a loss of amenity. Whilst the proposal will be taller than those properties surrounding the site, the design is such that the scale of the building is not considered to over dominate its neighbours or introduce overlooking into the surrounding dwellings. It is considered that the visual and operational impact of the proposal will enhance a currently derelict site without detriment to the adjacent Conservation Area. The modern design will complement the distinctive characteristics of the Area, including important views into and out of the designated Area.

The general design and layout of the proposed building makes a positive contribution to the appearance and special character of the area. The scale of the proposal is considered to be appropriate to the surrounding area which is varied in both building style and size. The proposed three storey element is located over 40m from the nearest residential property to the north and approximately 42m to the nearest property to the south on Fender Way. As such there will be no loss of amenity to surrounding residential dwellings. Overall the scheme is deemed acceptable in terms of the criteria set out within Wirral's UDP and NPPF.

The building at three storeys will allow limited views into neighbour's front gardens but not to an unacceptable degree as there are a number of mature trees running along the boundary of the site.

Further objection has been raised regarding a lack of amenities for proposed residents and the type of people that will be living in the proposed development.

There is a bus stop directly outside the site that provides links to Tesco, Bidston Moss, Upton Village, Moreton, Hoylake and Birkenhead town centre and beyond therefore there are a wide range of amenities a short bus ride away.

The concern raised over the type of people that will be living in the proposed development is not a planning matter and as such a refusal on these ground cannot be sustained, however it is important to note that analysis of Property Pool Plus (Wirral's Choice Based Lettings scheme for the allocation of affordable housing) currently identifies a significant number of people over 60 years of age who are currently registered in order to access affordable housing. Whilst a general assumption cannot be made that all of these applicants are in need of, or would choose to live in extra care accommodation, there is the potential for some of these individuals to live both now and in the future in affordable extra care housing if after assessment they required a level of care. There are also 67 applicants who have been assessed by the Extra Care Housing panel as needing Extra Care accommodation and are currently still waiting for a placement. This potential scheme could contribute to this if appropriate and required, however it is important to note that the Council is keen to ensure that any Extra Care Housing schemes developed for affordable housing in the borough where the Council is working in partnership to secure placements, are also able to be accessed by a range of people who require extra care housing including those with Learning Disabilities.

Further concern has also been raised with regards to parking and highway issues including the amount of parking provision, congestion, dangerous vehicle movements, accidents and ambulance and service vehicle access.

Both the Conservation officer and Bidston Village Conservation Area Advisory Committee have flagged up the potential for the site to have archaeological importance and as such, in accordance with policy CH25, should members be minded to approve the scheme, a condition for an archaeological assessment of the site will be imposed.

The Head of Environment & Regulation (Traffic & Transportation Division) has been consulted on highway safety and parking and has raised no objections to the proposed scheme stating residents accommodated within supported living apartments are unlikely to own their own vehicle therefore the proposal is unlikely to generate significant vehicle movements.

Other objections have been received from residents concerned about increased comings and goings associated with the use. As the proposal is for an extra care facility the comings and goings are considered to be a lot less than the former public house use on the site. The Head of Environment and Regulation (Environmental Health) have been consulted and has raised no objection. A refusal on these grounds can therefore not be sustained.

In accordance with the Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton 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. Should members be minded to approve the scheme conditions can be imposed to ensure this is achieved.

The site is classified as previously developed land as the proposal will replace a public house and its associated car parking area. The NPPF encourages the effective use of land by reusing land that has been previously developed (brown field land), provided that it is not of high environmental value.

## **SEPARATION DISTANCES**

In order to preserve local residential amenity, the following separation distances need to be achieved: 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. If there are differences in land levels or where development adjoins that of different ridge height, such as three-storey development adjacent to two-storey property, 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.

As stated above the proposed three storey element is located over 40m from the nearest residential property to the north and approximately 42m to the nearest property to the south on Fender Way. As such there will be no loss of amenity to surrounding residential dwellings. Overall the scheme is deemed acceptable in terms of the criteria set out within Wirral's UDP and NPPF.

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

The Head of Environment & Regulation (Traffic & Transportation Division) has been consulted on highway safety and parking and has raised no objections to the proposed scheme stating residents accommodated within supported living apartments are unlikely to own their own vehicle therefore the proposal is unlikely to generate significant vehicle movements.

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

There are no environmental/sustainability issues relating to this application

#### **HEALTH ISSUES**

There are no health implications relating to this application.

#### **CONCLUSION**

As detailed above, it is considered that the scale and form of development relates well to surrounding development and would not result in a detrimental change in the character of the area or the adjacent Conservation Area. Adequate access and servicing arrangements will be provided with off-street parking and vehicular access. Proposed landscaping and boundary treatment for the proposed development relate well to its surroundings and would secure the amenity/privacy of existing residents. Separation distances are achieved in keeping with the Council's usual required distances. As such, it is considered that the proposed development accords with both national and local planning 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

As detailed above, it is considered that the scale and form of development relates well to surrounding development and would not result in a detrimental change in the character of the area or the adjacent Conservation Area. Adequate access and servicing arrangements will be provided with off-street parking and vehicular access. Proposed landscaping and boundary treatment for the proposed development relate well to its surroundings and would secure the amenity/privacy of existing residents. Separation distances are achieved in keeping with the Council's usual required distances. As such, it is considered that the proposed development accords with both national and local planning 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.

**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 5th June 2015 and listed as follows: 11-094-100 Rev A (Dated 06.2015), 11-094-150 Rev D (Dated 08.2015), 11-094-165 Rev B (Dated 08.2015), 11-094-110 Rev F (Dated 08.2015), 11-094-123 Rev B (Dated 06.2015), 11-094-122 Rev B (Dated 06.2015), 11-094-121 Rev C (Dated 06.2015) and 11-094-120 Rev c (Dated 06.2015)

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

3. BEFORE THE DEVELOPMENT HEREBY PERMITTED IS FIRST COMMENCED, 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 plan(s). The development shall be carried out in accordance with the approved details and retained as such thereafter.

**Reason:** To ensure a satisfactory appearance and avoid overlooking having regard to Policy HS7 of the Wirral Unitary Development Plan.

4. 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 in the in the Wirral Unitary Development Plan.

5. Prior to the commencement of development, an archaeological desk based assessment for the site shall be submitted to and approved in writing by the Local Planning Authority. This must be undertaken by a professionally qualified archaeologist who is a member of the Institute of Archaeologists at Practitioner grade or above. The approved programme of works shall subsequently be implemented prior to commencement of development and where appropriate, completed in accordance with the approved details. The programme shall include written schemes of investigation for evaluation and watching briefs.

**Reason:** In the interests of protecting the site of archaeological importance and to comply with Policy CH25 of Wirral's Unitary Development Plan.

6. 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.

7. PRIOR TO 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.

8. NO DEVELOPMENT SHALL TAKE PLACE UNTIL samples of the facing/roofing/window 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 HS4 of the Wirral Unitary Development Plan.

9. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the local planning authority. For

the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into the existing foul or combined public sewerage systems. Any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow of 20l/s. The development shall be completed, maintained and managed in accordance with the approved details.

**Reason:** To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

**Further Notes for Committee:**

**Last Comments By:** 31/07/2015 16:13:56

**Expiry Date:** 04/09/2015