

Planning Committee

21 October 2015

Reference:
OUT/15/00977

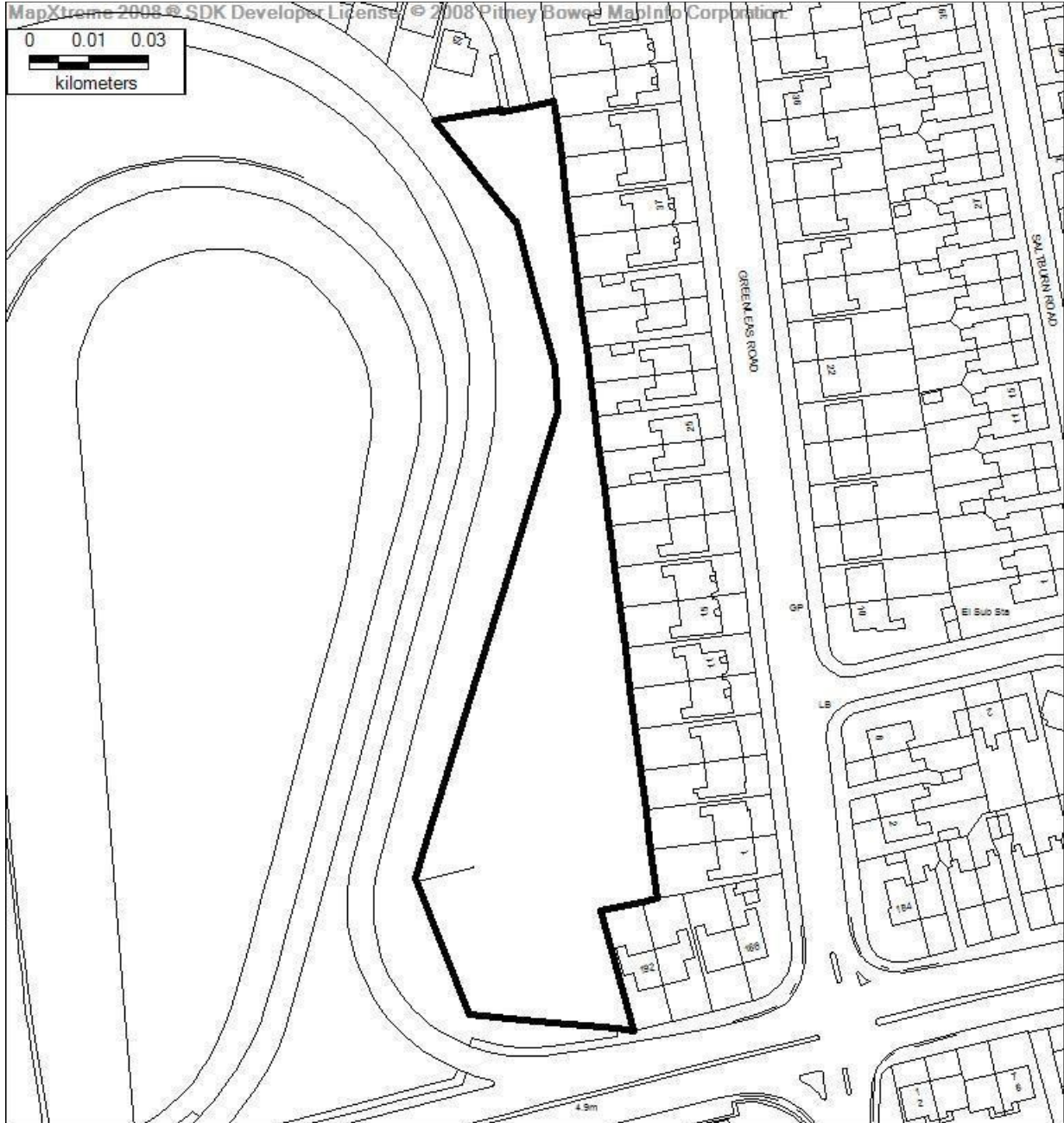
Area Team:
North Team

Case Officer:
Ms J Storey

Ward:
Wallasey

Location: Grazing Land, LEASOWE ROAD, WALLASEY VILLAGE
Proposal: Outline application for 10 dwellings
Applicant: Mr D J Earlam
Agent : Matthews and Goodman LLP

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: Grazing Land, LEASOWE ROAD, WALLASEY VILLAGE
Application Type: Outline Planning Permission
Proposal: Resubmission of outline application for 16 dwellings Planning Application
Reference: OUT/13/00810
Application No: OUT/14/00105
Decision Date: 16/05/2014
Decision Type: Refuse

Location: Webster Market Garden, Green Lane, Wallasey Village, Wirral, L45 8LZ
Application Type: Outline Planning Permission
Proposal: Erection of 31 dwellings and access road (outline).
Application No: OUT/98/05354
Decision Date: 24/04/1999
Decision Type: Approve

Location: West of 1-43 Greenleas Road and west of 192 Leasowe Road, Wallasey Village, CH45 8
Application Type: Outline Planning Permission
Proposal: Erection of 8 no. detached houses with access road to Greenleas Close
Application No: OUT/02/06143
Decision Date: 11/07/2002
Decision Type: Withdrawn

Location: Webster Market Garden, Green Lane, Wallasey Village, Wirral, CH45 8LZ
Application Type: Full Planning Permission
Proposal: Erection of 35 dwelling houses and garages and construction of foul and surface water sewer link to Leasowe Road
Application No: APP/99/06431
Decision Date: 19/10/1999
Decision Type: Approve

Location: Grazing Land, LEASOWE ROAD, WALLASEY VILLAGE
Application Type: Outline Planning Permission
Proposal: Outline planning application for the erection of 16no. residential units.
Application No: OUT/13/00810
Decision Date: 07/11/2013
Decision Type: Refuse

Appeal Details

Application No	OUT/14/00105
Appeal Decision	Dismissed
Appeal Decision Date	29/01/2015

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Councils Guidance for Publicity on Planning Applications 32 notifications were sent to adjoining properties and a Site Notice was displayed near the site. At the time of writing, a qualifying petition containing 69 signatures and 50 individual letters of objection have been received against the proposal. The objections can be summarised as follows:-

1. Overdevelopment of the site
2. Access not wide enough for emergency vehicles and refuse lorries
3. No consideration is made for pedestrian traffic from the new development into Greenleas Close, residents gardens go right to the roadside
4. No pedestrian route up to the school which will lead to an increase in accidents
5. The traffic survey submitted is wrong and not subjective
6. Development shows utter disregard for current residents

7. No justification for the quantum of development or that it meets UDP Policy HS4
8. No supporting studies have been provided
9. Not in support of the Settlement Area Policy document
10. Reduced delineation between Leasowe/Wallasey
11. Why wasn't this site developed when the other houses were first built
12. Site is partly in the Green Belt
13. Loss of Green Space
14. Surface Water Flood Risk
15. Effect of the development on the character of the neighbourhood
16. Walkway through to Leasowe Road
17. Overlooking
18. Loss of trees and the building of houses will increase noise and light for the current residents
19. Loss of land at the bottom of Greenleas Close as a children's play area
20. Fall in Value of current values
21. Increase in traffic and congestion and on street parking
22. Highway Safety issues
23. Proposed Residents would suffer from noise from slip road
24. Footprint of the proposed houses are smaller than surrounding properties
25. Unadopted footpath that runs along rear of the back gardens
26. Access to the shared roadway into the proposed development is close to my property create noise pollution
27. Neighbour is disabled and proposal would overlook area where he is cared for
28. Make access to the rear of the houses on Greenleas Road a target for Burglars
29. There is a covenant on the land which restricts its use to Agriculture
30. The benefits of leaving a small piece of land far outweighs the greed of the developers
31. Parking survey performed during spring/summer. suspect lower level of traffic

CONSULTATIONS:

Head of Environment and Regulation (Traffic & 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 signed by 69 signatures. As such the application is required to be considered and determined by the Planning Committee having regards to the provisions of the Scheme of Delegation for Determining Application as approved by Council in March 2014.

Councillor Leah Fraser objects to the proposals and also removed this application from delegation asking for it to be considered by the Planning Committee. Her objections relate to

1. Overdevelopment of the site;
2. Access via Greenleas Close is exceptionally narrow with Greenleas Primary School located at the entrance: the area is gridlocked during school starting and finishing times and this application if approved is likely to exacerbate existing traffic problems;
3. Road safety issues, which were highlighted in the Inspector's recent dismissal for 16 houses;
4. There is an unadopted footpath that runs along the rear of the houses in Greenleas Close which would be impacted by this development - residents gain access to the rear of their properties from this path allowing them to maintain fences and hedges and for keeping the path clear; and
5. light, peace and quiet will be eroded for neighbouring residents if this application were approved.

INTRODUCTION

This is an outline application with all matters reserved for the erection of 10 no residential units on grazing land between Leasowe Road and Greenleas Close. The site measures approximately 6,000m². Drawings have been submitted indicating a proposed layout and indicative elevations. The proposed scheme proposes 3, detached two storey dwellings, 6, semi-detached two storey dwellings and a bungalow.

There have been two previous applications on the site. The first (OUT/02/06143) for 8 dwellings was withdrawn and the second (OUT/13/00810) for 16 dwellings was refused and subsequently dismissed on appeal.

The two reasons for refusing the later application related to over development of the site by reason of the quantum and scale of the proposed development and highway safety and additional traffic generation fronting Greenleas school.

The inspector in dismissing the appeal stated that: "the elongated nature of the site and its awkward configuration necessitates confining most of the proposed dwellings to the southern portion of the plot. The density there would be greater and that, together with the relatively narrow plots and smaller dwellings would create a cramped impression out of keeping with the detached dwellings in Greenleas Close or the established semi-detached suburban villas along Greenleas Road. I consider the illustrative layout to be mediocre with little form or focus."

The Inspector further notes that: "Greenleas Close ends in a shared surface approximately 30m in length that curves between some six properties. While the use of this section by the traffic generated from the proposed development, might at first sight, appear to meet the guidance in Manual for Streets, it seems to me that there would be elements in the configuration of the cul-de-sac that would undermine the proper application of that concept. Drivers from almost all of the proposed dwellings would approach the shared surface via a virtually straight stretch of carriageway, about 130m in length, and accommodating only 3 fairly modest 'chicanes'. Given the likely tidal nature and low level of traffic, I do not accept that such a configuration would be commensurate with a design speed suitable to appropriately negotiate the shared surface. All the more so, for the proposed development would not appear to entail the use of a shared surface itself (pavements appear to be shown) and the curves incorporated into the highway alignment would be too shallow to greatly inhibit vehicle speeds on their own. For those reasons, I consider the current arrangements indicated to be unsatisfactory even though I accept that the limited level of traffic likely to materialise would not greatly exacerbate road hazards.

PRINCIPLE OF DEVELOPMENT

The site is designated as a Primarily Residential Area in the Wirral Unitary Development Plan, and the principle of residential dwellings is acceptable subject to UDP Policy HS4 'New Housing Development and the National Planning Policy Framework.

SITE AND SURROUNDINGS

The site comprises a grassed and hard surfaced piece of land with stables, grazing and riding areas. It is designated as a Primarily Residential Area in the Wirral Unitary Development Plan. There are mature trees to the west boundary outside the site, screening the proposal from the slip road off the A554. Greenleas Road to the east of the site is characterised by traditional semi-detached properties with 15m rear gardens, and is positioned lower than the site. Greenleas Close to the north is characterised by an open plan estate of detached brick dwellings. There is a Primary School at the head of Greenleas Close.

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.

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.

Policy GR5 (Landscaping and New Development) of the UDP requires applicants to submit full landscape proposals before planning permission is granted.

Policy GR7 (Trees and New Development) of the UDP 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 WA2 (Development and Land Drainage) of the UDP states that conditions may be imposed requiring surface water storage where there could be a significant increase in surface water run-off from the area.

Policy WA5 (Protecting Surface Waters) of the UDP only permits development which does not exacerbate existing problems such as increased frequency of discharges through storm sewer overflows due to inadequate infrastructure or lack of sewer capacity.

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, and Policy WM9 also requires development to provide measures for waste collection and recycling.

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. Paragraph 64 states that development of poor design that fails to take opportunities for improving the character and quality of an area and the way it functions should be refused

APPEARANCE AND AMENITY ISSUES

The application is for outline consent with all matters reserved, however, the applicants have provided an indicative layout and possible elevational treatments. The site is to be accessed via Greenleas close to the north and will utilise a single road running through the site. To this end, the scheme will integrate well into its surroundings by reinforcing existing connections and creating a new one. The submitted drawings also identify a possible pedestrian/cycle access onto Leasowe Road which will ensure that the site is permeable from north to south. It has been suggested that a barrier could be provided that prohibited cars from gaining access.

The indicative scheme proposed a mix of semi-detached and detached dwellings and a bungalow that should create a broad based community and is commensurate with the surrounding development. Off street parking will be provided for each property. The proposal also includes for a small public landscaped area to the east of the site that could incorporate a suds scheme in addition to creating and enhancing a wildlife habitat.

The applicant has provided a street scene which indicates the design scale and height of the proposed dwellings. It is considered that the elevations as proposed exhibit a certain architectural quality and detailing. The scale and height of the proposed houses are similar to the surrounding area.

In addressing the Inspectors previous concerns with earlier schemes, the proposed layout is not confined to the southern portion of the plot. The density is now lower and the plots wider and the footprint of the dwellings similar to surrounding properties.

The site is located close to community facilities such as shops, schools and a mix of public transport providers.

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. 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.

The applicants have advised that the exact location of below ground services will be determined prior to the submission of a reserved matters application. There is a 10m easement through the site, which may require modification to the submitted layout. This is a matter reserved for future approval.

The illustrative layout provided for 25m interface distance between the rear elevations of existing properties along Greenleas Road and the proposed two storey dwellings. There is a shorter distance of 20m between the proposed dwellings on plot 2, however, it is proposed that this is to be a bungalow where prospects of overlooking could be mitigated by boundary treatment. The proposed scheme can therefore be accepted having regard to interface distances.

HIGHWAY/TRAFFIC IMPLICATIONS

A volume of objections have been received from local residents and parents with concerns to the additional traffic, parking and congestion the proposed 16 new dwellings would bring. This is exacerbated by the position of Greenleas Primary School at the junction into Greenleas Close.

There have been some concerns from residents that there is a public right of way through the site. However, this is not the case. The proposed scheme will in fact provide access for pedestrians and cyclist through the site.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Objections were received regarding flood risk, loss of trees and wildlife habitat. The site is not located in a flood zone. However the concerns of the neighbours regarding flooding from rainfall on the ground surface and rising groundwater overwhelming sewers and drainage systems are relevant. The proposal is to remove a large amount of permeable surface and replace the majority with hard surfacing. As such it will be essential in the application for reserved matters the applicant sets out a proposal for a sustainable urban drainage system. There is a copse of trees adjacent to the site but not within the boundary. The applicant proposed a small landscaped/wooded area. In addition, it is considered that this reduction in the number of dwellings will allow for a better landscaping scheme. A landscaping scheme is considered necessary given the previous open use of the site.

Section 106 for Affordable Housing

Proposals for new market housing of 5 dwellings or above will normally be required to provide affordable housing on-site at the following rates:

- within areas of greatest need 10 percent
- outside areas of greatest need 20 percent

A reduced level of provision will be approved where an independently, verified site specific assessment has been submitted to demonstrate that the site will not be viable for housing development at the rate specified.

In this instance the applicant has agreed to the required level of affordable housing which will be delivered through a Section 106 agreement.

CONCLUSION

The proposed development is considered to be acceptable and it will not have an unacceptable adverse impact on the amenities of neighbouring properties through overlooking, poor outlook or through the amount of traffic generated or highway safety issues. The application site is in a sustainable location close to shops and good public transport links. The proposal is therefore considered to comply with the Wirral Unitary Development Plan Policy HS4, and the National Planning Policy Framework

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:-

The proposed development is considered to be acceptable and it will not have an unacceptable adverse impact on the amenities of neighbouring properties through overlooking, poor outlook or through the amount of traffic generated or highway safety issues. The application site is in a sustainable

location close to shops and good public transport links. The proposal is therefore considered to comply with the Wirral Unitary Development Plan Policy 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 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. Details of materials for all external work including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

4. 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.

5. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of the proposed finished floor levels; ridge and eaves heights of the dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted levels shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of neighbouring property. The development shall be carried out as approved.

Reason: To ensure a satisfactory relationship between the various components of the development and between the site and adjoining land, to ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, any trees and hedgerows and the amenities of neighbouring properties, having regard to Policy HS4 and GR7 of the adopted Wirral Unitary Development Plan.

6. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 20th July 2015 and listed as follows: L(80)001

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

7. NO DEVELOPMENT SHALL TAKE PLACE (including any demolition, earthworks or vegetation clearance) until a scheme of landscaping, phased in relation to any phasing of the development, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for but not restricted to the following details:

- a. existing trees and shrubs not directly affected by the buildings and works.
- b. walls and fences
- c. proposed walls and fencing, indicating materials and heights.
- d. screen planting on boundary
- e. existing contours and any alteration, such as earth mounding,
- f. details of the proposed arrangements for maintenance of the landscaping

The scheme as approved shall be carried out prior to the first occupation of any of the dwellings hereby approved. Any trees, shrubs or plants that die within a period of 5 years from the completion of the development, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written approval for any variation.

Reason: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, having regard to Policy HS4 and Policy GR5 of the Wirral Unitary Development Plan.

8. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, 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

9. NO DEVELOPMENT SHALL TAKE PLACE until a scheme for the provision and implementation for the discharge of surface water from the site (including surface water from accesses and driveways), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use or the dwellings first occupied until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To prevent increase risk of flooding by ensuring that the development can be adequately drained and to comply with saved policies WA2 and WA5 of the Wirral Unitary Development Plan

Further Notes for Committee:

Last Comments By: 10/09/2015 15:32:09

Expiry Date: 19/10/2015