

Planning Committee

21 October 2015

Reference:
APP/15/00984

Area Team:
North Team

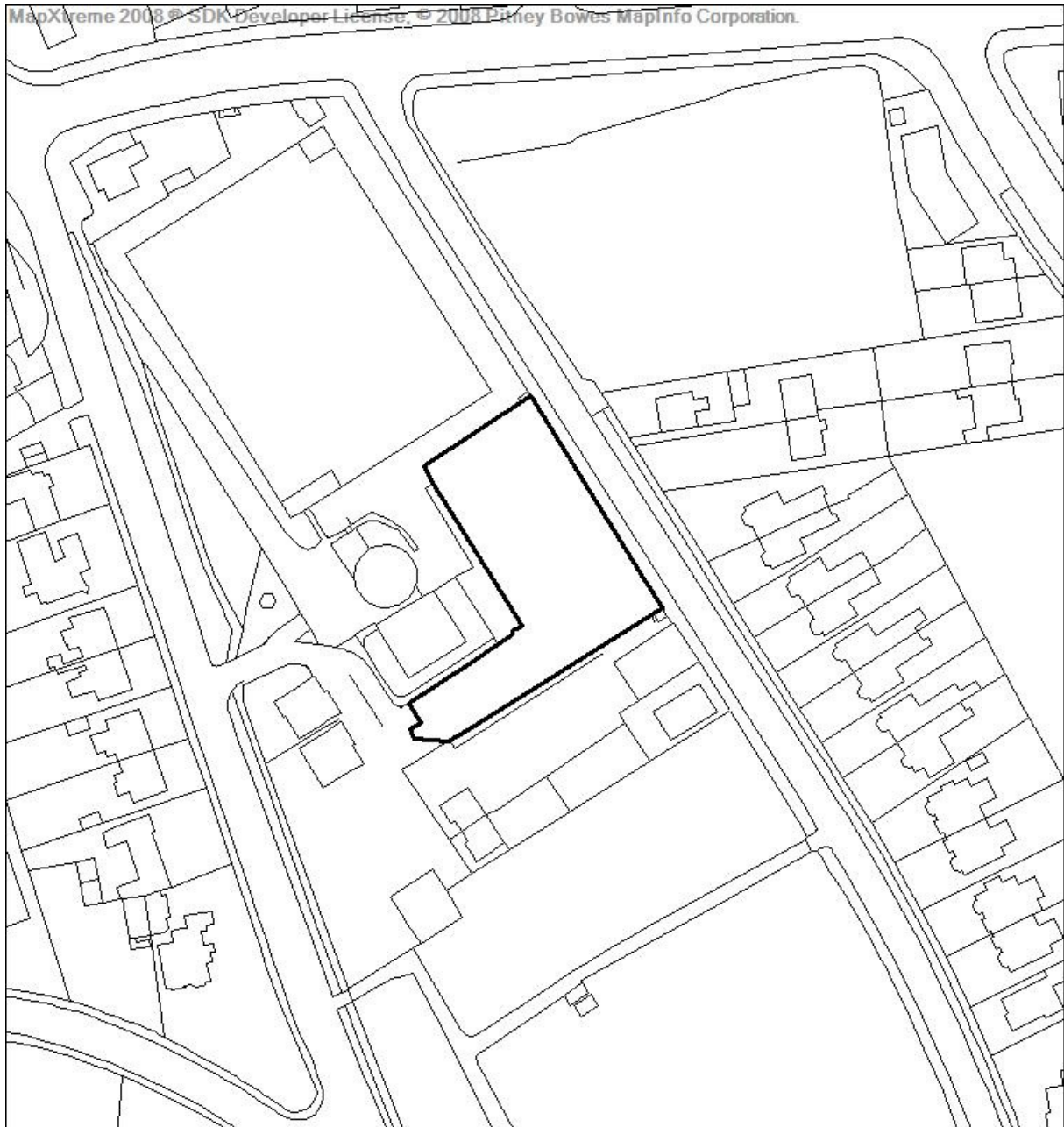
Case Officer:
Mr K Spilsbury

Ward:
Claughton

Location: Flaybrick Hill Reservoir, BOUNDARY ROAD, BIDSTON, CH43 7PE
Proposal: The development is for 6, 4 bedroom family dwellings, distributed evenly across the site. The houses are arranged to allow views of the existing Flaybrick Reservoir Water Tower from Hill Road.

Applicant: FLAYBRICK HOMES LTD
Agent : Brock Carmichael

Site Plan:



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Development Plan allocation and policies:

Density and Design Guidelines Area
Primarily Residential Area

Planning History:

- Location: Flaybrick Hill Reservoir, Boundary Road, Bidston, Wirral CH43 7PE
Application Type: Full Planning Permission
Proposal: Application to develop land for 4no. detached residential dwellings on the site of an existing water tower and pumphouse
Application No: APP/11/00468
Decision Date: 11/07/2011
Decision Type: Approve
- Location: Flaybrick Hill Reservoir, Boundary Road, Bidston, Wirral, CH43 7PE
Application Type: Outline Planning Permission
Proposal: Application to develop land for residential development including partial demolition of a wall (outline application with all matters reserved apart from the means of access).
Application No: OUT/05/06212
Decision Date: 18/11/2005
Decision Type: Approve
- Location: Flaybrick Hill Reservoir, Boundary Road, Bidston, Wirral, CH43 7PE
Application Type: Reserved Matters
Proposal: Erection of 14no. semi-detached houses (reserved matters of OUT/2005/6212) amended house types.
Application No: DLS/08/06830
Decision Date: 03/04/2009
Decision Type: Approve
- Location: Land south of (adjacent) waterworks, Hill Road, Claughton. L43 8TL
Application Type: Outline Planning Permission
Proposal: 33kv. electricity substation, (outline).
Application No: OUT/89/05821
Decision Date: 05/07/1989
Decision Type: Approve
- Location: Flaybrick Hill Reservoir, Boundary Road, Bidston. L43 7PE
Application Type: Listed Building Consent
Proposal: Demolition of disused boiler house and store.
Application No: LBC/87/05051
Decision Date: 12/03/1987
Decision Type: Refuse
- Location: South of Reservoir, Hill Road, Bidston. L43 8TL
Application Type: Outline Planning Permission
Proposal: Erection of 33kv. electricity sub-station, (replacement).
Application No: OUT/85/06713
Decision Date: 23/12/1985
Decision Type: Withdrawn
- Location: Flaybrick Reservoir, Boundary Rd, Bidston L43 7PJ
Application Type: Full Planning Permission
Proposal: Erection of a single storey extension to squash court to form changing room and shower room facilities
Application No: APP/78/11453
Decision Date: 24/01/1979
Decision Type: Conditional Approval

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 15 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report objections have been received from the occupiers of 10, 18, 30, 32 & 32a Hill Road, 7& 11 Boundary Road and 1 Waterworks cottage. The objections can be summarised as follows:

1. increased traffic, highway safety and parking,
2. contamination,
3. impact of the development on the character of the area and listed buildings/wall/gorse bush construction work,
4. height of buildings,
5. bin storage and
6. noise.

A qualifying petition of objection has also been received containing 38 signatures.

CONSULTATIONS:

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

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

United Utilities - No Objection

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection has been received. Under the Council's current Scheme of Delegation for Determining Applications, the application must be considered by Planning Committee.

INTRODUCTION

The proposed development is to develop the land to the east of the water tower and pumphouse adjacent to Hill Road with 6no. detached residential dwellings.

The site as a whole benefits from planning permission for 14 semi-detached dwelling houses under OUT/2005/6212 Application to develop land for residential development including partial demolition of a wall (outline application with all matters reserved apart from the means of access). Approved 18/11/05 and the subsequent reserved matters application; DLS/2008/6830 - Erection of 14no. semi-detached houses (reserved matters of OUT/2005/6212) amended house types. APPROVED 03/04/08. A further application was approved on the west of the site fronting Boundary Road APP/11/00468 for 4 No. residential dwellings - Approved 11/07/2011.

As the development has already been implemented under the previous consents; OUT/05/6212 & DLS/08/6830, the requirement for affordable housing is not imposed in this instance as the development proposes less dwellings than that originally approved.

PRINCIPLE OF DEVELOPMENT

The site is allocated within the Unitary Development Plan as Primarily Residential. The overall principle of dwellings on the site has already established with the original outline consent. Therefore the proposed development is considered acceptable in principle subject to: Policy HS4: Criteria for New Housing Development, Policy CH1: Development Affecting Listed Buildings and Structures as the adjacent Water Tower is a Listed Building, Policy GR7: Trees and New Development and the National Planning Policy Framework

In consideration of the first of these criteria, the proposed dwellings are considered to be of a scale commensurate with surrounding property and will therefore not have an adverse impact upon the area.

The National Planning Policy Framework advocates a presumption in favour of sustainable development as well as delivering a wide choice of high quality homes.

SITE AND SURROUNDINGS

The area proposed for development is to the east of the pump house fronting onto Hill Road. The site benefits from outline planning consent for residential development, granted in 2005 and a subsequent reserved matters application for amended house types granted in 2009.

The site is raised from the road and is enclosed by a large sandstone retaining wall. The site is relatively flat and is screened from the road by mature gorse bushes.

There are two semi-detached dwellings (Waterworks cottages) located to the east of the site. The existing access to the site is off Boundary Road which also serves the reservoir site, the karate club and the waterworks Cottages.

POLICY CONTEXT

The following policies are deemed appropriate in this instance:

Wirral UDP

Policy HS5 – Density and Design Guidelines

Policy HS4: Criteria for New Housing Development

Policy CH1: Development Affecting Listed Buildings and Structures

Policy GR7: Trees and New Development

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 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. 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 in terms of amenity as well as heritage and conservation, 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 scheme is the result of pre-application discussions between the Local Authority and the developer to ensure the setting of the Grade II listed water tower was preserved, and the amenities of local residents preserved.

It is considered that the proposed layout and dwelling type will not result in a significant loss of privacy, daylight or sunlight to the surrounding neighbouring properties and will not be visually overbearing or dominant when viewed from adjoining properties.

Concerns have been raised by local residents with regard to the need for further development at the site and to the nature of the proposed development, which they deem is not in keeping with the surrounding area and the Grade II Listed Water Tower.

The proposed dwellings are large properties, two and a half storey (second floor in the roof space) and reflect a simple modern design that will not detract from the adjacent Listed Buildings.

The area is a varied mix of different housing types and ages and it is considered that the simple design of the proposed dwellings will be in keeping with the character of the area.

The site layout will be consistent with the existing street scene and will provide similarly scaled dwellings with similar separation distances to those existing properties surrounding the site.

Whilst the site is elevated from Hill Road it is considered that the proposed scheme will tie into the existing residential fabric of the area without compromising the views of the Listed Buildings. The overall height has been kept down by including the second floor within the roof space.

Further concern has been raised regarding the number of vehicles using the site, highway safety, contaminated land, potential for wheelie bins, and the length of time the overall development has taken and the impact of construction on residents.

The Head of Environment & Regulation (Traffic & Transportation Division) has been consulted with regards to the impact of 6 additional dwellings on the existing road network and the potential highway safety issues. No objections have been raised on either counts.

The impact of wheelie bins being left in the road and the length of time the developer has taken to construct the development is not a planning consideration and as such a refusal on these grounds could not be sustained.

With regards to the contaminated land issues, the Head of Environment & Regulation (Pollution Control Division) has been consulted and has raised no objections to the scheme subject to a condition for remediation works. This will be attached to the approval should members be minded to approve the scheme.

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.

SEPARATION DISTANCES

The proposed dwellings will be located in excess of 21m from those dwellings located along Hill Road and 21m from the dwellings located within the pump house. The closest property will be located in excess of 40m from the rear elevation of the existing cottages. As such the proposed separation distances have been comfortably met and it is therefore considered that there will be no loss of amenity for existing and proposed residents in terms of overlooking.

HIGHWAY/TRAFFIC IMPLICATIONS

Access to the development, will be taken via the existing access point. The access road would then run down towards the karate club to the south of the site towards the site of the new houses.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals. The Head of Environment & Regulation (Pollution Control Division) has raised no objections to the scheme subject to conditions.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

It is considered that the residential development proposed on the site would be in keeping with the character of the area and would not introduce harm to the street scene. The proposal is acceptable in design terms and complies with HS4, CH1 and GR7 of Wirral's Unitary Development Plan, and The National Planning Policy Framework. The proposal is therefore considered to be acceptable and recommended for approval subject to conditions.

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:-

It is considered that the residential development proposed on the site would be in keeping with the character of the area and would not introduce harm to the street scene. The proposal is acceptable in design terms and complies with HS4, CH1 and GR7 of Wirral's Unitary Development Plan, and The National Planning Policy Framework. The proposal is therefore considered to be acceptable and recommended for approval subject to conditions.

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. Before any construction commences, 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.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (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 of the Wirral Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy HS4 of the Wirral Unitary Development Plan.

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

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

7. No development shall take place until details of any gates, walls and fences to be erected as part of the proposed development have been submitted to and approved by Local Planning Authority. Any gates, walls and fences comprised in the approved details shall be erected prior to the first occupation of any of the approved dwellings.

Reason: In the interests of amenity

8. All driveways shall be generally formed and hard-surfaced to the satisfaction of the Local Planning Authority before any of the dwellings to which they relate are occupied.

Reason: In the interests of amenity and to ensure a satisfactory standard of vehicular access to each property.

9. 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 HS4 of the Wirral Unitary Development Plan.

10. No development shall take place until an assessment is carried out in accordance with authoritative technical guidance (CLR11), has been submitted to and approved in writing by the Local Planning Authority. If any contamination posing unacceptable risks is then found, a report specifying the measures to be taken to remediate the site to render it suitable for the approved use shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority. If, during the course of development, any contamination posing unacceptable risks is found, which has not been previously identified, additional measures for the remediation of the land shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the site is free from contaminants.

11. 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.

12. 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

13. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 28th July 2015 and listed as follows: L(02)004 P02 (Dated 07.10.15), L(04)001 P07 (Dated 10.07.15), L(04)002 (Dated 10.07.15), L(04)003 (Dated 10.07.15), L(04)004 P07 (Dated 10.07.15), L(05)002 (Dated 10.07.15), L(04)005 (Dated 10.07.15), L(05)005 (Dated 10.07.15), L(05)004 (Dated 10.07.15), L(05)003 (Dated 10.07.15), L(02)002 (Dated 10.07.15), L(02)001 (Dated 10.07.15), L(04)006 (Dated 10.07.15), L(05)006 P07 (Dated 10.07.15), L(06)001 (Dated 10.07.15) & L(02)003 (Dated 10.07.15)

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

Last Comments By: 08/09/2015 11:25:06

Expiry Date: 22/09/2015