

Planning Committee
26 November 2015

Reference:
APP/15/01040

Area Team:
North Team

Case Officer:
Mr K Spilsbury

Ward:
Bidston and St James

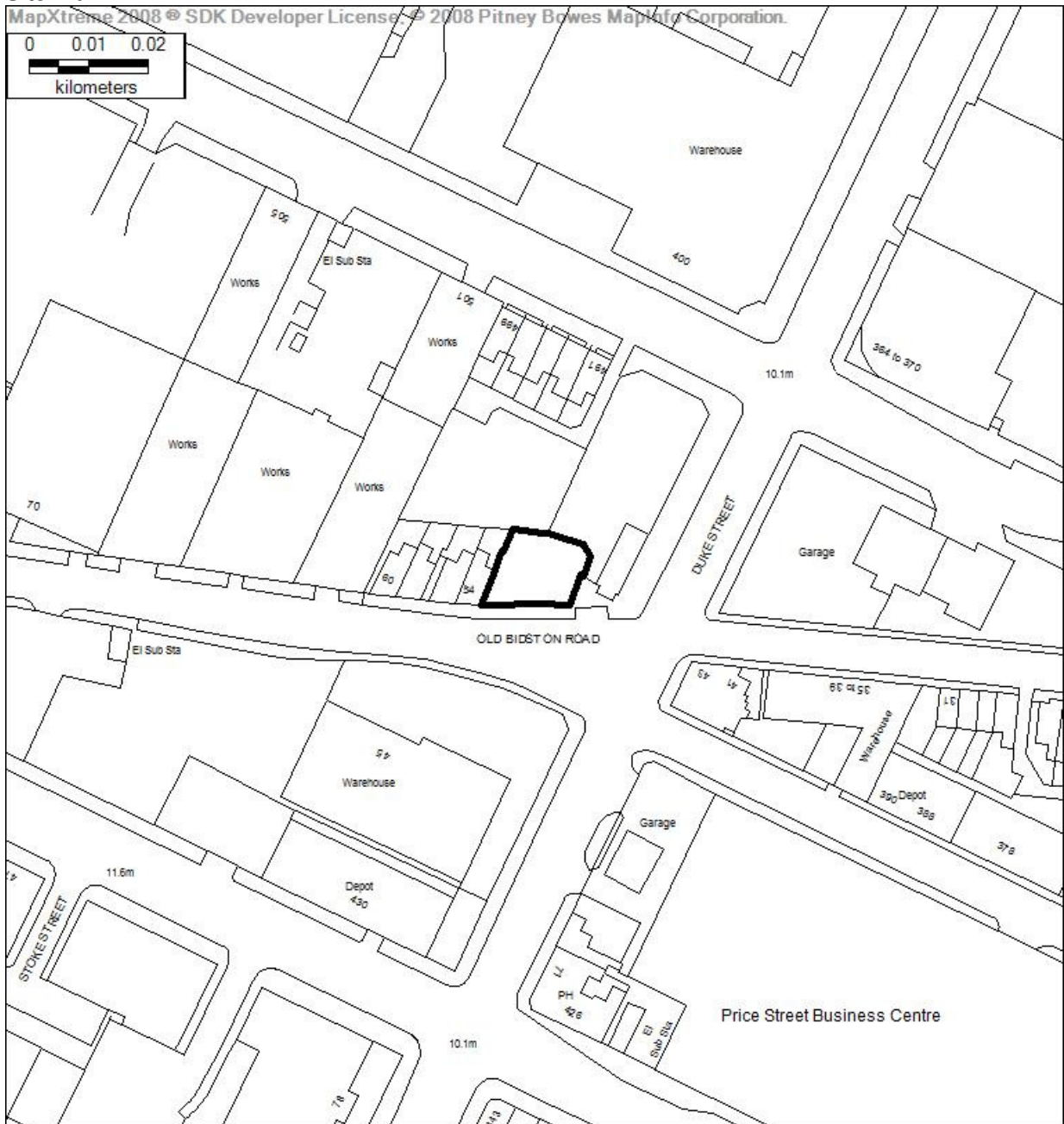
Location: Cleared Site Grassed Adjacent 54, OLD BIDSTON ROAD, BIRKENHEAD, CH41 8BL

Proposal: Erection of three dwellings

Applicant: Mr Scott Ward

Agent : DJ Cooke & Co Ltd

Site Plan:



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Development Plan allocation and policies:

Primarily Industrial Area

Planning History:

Location: Land east of (adjacent) 54, Old Bidston Road, Birkenhead. L41 8BL
Application Type: Outline Planning Permission
Proposal: Erection of three dwelling houses, (outline).
Application No: OUT/96/06232
Decision Date: 30/10/96
Decision Type: Approve

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

Having regard to the Council Guidance on Publicity for Applications, 10 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report no representations or objections has been received

CONSULTATIONS:

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

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

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

The application is a departure from the Unitary Development Plan and as such under the current scheme of delegation is required to be heard at planning committee

INTRODUCTION

The proposed development is for the erection of three houses on a vacant brown field site adjacent to a row of terrace housing

PRINCIPLE OF DEVELOPMENT

Old Bidston Road is located within a Primarily Industrial Area as allocated within Wirral's Unitary Development Plan (UDP). The proposal to develop the site for housing is a departure from the development plan.

SITE AND SURROUNDINGS

The site is an overgrown vacant plot of land positioned at the end of a row of terraced dwellings. The majority of the site is surrounded by other commercial business: opposite the site there is Pumptech engineering company and a container storage site beyond. There are large industrial buildings located to the west of the terrace properties as well as a number of other industrial uses located on Duke Street.

POLICY CONTEXT

Old Bidston Road is located within a Primarily Industrial Area as allocated within Wirral's Unitary Development Plan (UDP). Policy EM8 - only permits development within Use Classes B1 - business use, B2 - general industrial, and B8- storage and distribution, subject to Policy EM6 and Policy EM7.

The NPPF and Policy CS17 in the emerging Core Strategy are also material considerations. The Government wants the planning system to do all that it can to support sustainable economic growth, but it also expects planning policies to avoid long term protection of employment premises where there is no reasonable prospect of a site being used for that purpose (paragraph 22). This is reflected in Policy CS17 which includes provision for alternative uses where the site is not suitable for the priority sectors, marketing at realistic prices for employment uses has been undertaken and the proposed use is compatible with the character of the area.

The NPPF states that there is a presumption in favour of sustainable development. Paragraph 11 of the NPPF states; Planning law requires that applications for planning permission must be determined in

accordance with the development plan unless material considerations indicate otherwise.

As the development for three residential dwellings is a departure from the development plan the applicant has submitted a marketing analysis in support of the application that provides evidence that the site has been marketed as industrial land in excess of 12 months without any real interest. The applicant states that Harper and Woods were appointed to market the site for sale as industrial development land. The site was added to their sales brochures and online literature in addition to a sales board being erected on the perimeter of the site from September 2014 to April 2015. In January 2015 following little direct interest, Keystone Properties, a local estate agents were also instructed to market the land adding the plot to its advertisements in local press and estate Gazette from January to June 2015. Feedback from both agents suggests that the plot was considered too small for useful industrial development land and in an undesirable location for a possible storage use.

They also site that a protracted and slow economic recovery has resulted in a very challenging leasing environment for industrial units in Birkenhead and that there are a number of industrial units in close proximity to the site, as such there is little demand for additional units to be created.

This marketing analysis is considered to be a material consideration that weighs in favour of the development. The applicant has demonstrated that there is no real prospect that the site can be developed for industrial uses and statement submitted in support of the scheme backs this up.

The site is located within a sustainable location with good transport links to Birkenhead Town Centre and beyond. Birkenhead Park train station is a 5 minute walk from the site and there is a frequent bus running long Duke Street. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development (para 49) and deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50). The scheme will deliver a sustainable development of three two bedroom houses.

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.

APPEARANCE AND AMENITY ISSUES

The site is an undeveloped brownfield site within the industrial area that currently detracts from the overall character of the area due to its unkempt appearance. It is considered that the proposed development will bring the site back into use and provide sustainable development in accordance with the principles of the NPPF.

As stated above the site is located at the end of a row of terrace dwellings and the re-development of the currently vacant site would logically follow the row of existing terrace dwellings. Previous consent has been granted on the site for outline permission for 3 dwellings (OUT/96/6232/E) and historically the records show that the site originally accommodated three dwelling houses. Whilst the site is relatively small the size and scale of the dwellings will be comparable to those surrounding the site and achieve an acceptable level of private amenity space at the rear.

The proposed dwellings can be deemed acceptable having regard to Policy HS4 - New Housing Development. The scale relates well to surrounding property, in particular with regard to existing densities and form. The area is mixed with both commercial and residential properties lying next to each other therefore the proposal will not result in a detrimental change in the character of the area. Appropriate landscaping and boundary treatment which relates the proposed development to its surroundings has been provided. Each dwelling has a small defensible space at the front and a private garden area at the rear.

SEPARATION DISTANCES

Separation distances are easily met. All windows are located at the front and rear of the proposed dwellings. There is a single storey industrial building some 27m to the front of the site and the closest residential properties to the rear are located over 30m away on Cleveland Street

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal. The scheme is acceptable in terms of road safety and traffic management.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental/sustainability issues

CONCLUSION

Whilst the development is a departure from the development plan as the site is designated as industrial within the UDP, there are material factors, in this particular case, that weigh in favour of the scheme. The site has been marketed for 12 months for industrial uses without interest, there is a historic permission for 3 dwellings on the site and the land previously accommodated housing. There is a mix of uses in the area including industrial, commercial and residential as the development will continue a row of terraced dwellings. As such the development is considered acceptable in this instance. The development is acceptable in terms of the principles set out in the NPPF and is therefore recommended for approval.

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:-

Whilst the development is a departure from the development plan as the site is designated as industrial within the UDP, there are material factors that weigh in favour of the scheme. The site has been marketed for 12 months for industrial uses without interest, there is a historic permission for 3 dwellings on the site and the land previously accommodated housing. There is a mix of uses in the area including industrial, commercial and residential as the development will continue a row of terraced dwellings. As such the development is considered acceptable in this instance. The development is acceptable in terms of the principles set out in the NPPF and is therefore recommended for approval.

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 6356/02a and listed as follows: (Dated 07.15)

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

3. 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.

4. No development shall take place until an assessment is carried out in accordance with authoritative technical guidance (CLR11). 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 risk 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 mitigate against potential contamination having regards to policy PO5 of Wirral's UDP

5. 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 Policy WM8 of the Joint Waste Local Plan.

6. 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 Policy WM9 of the Joint Waste Local Plan.

Last Comments By: 16/09/2015 13:54:23
Expiry Date: 29/09/2015