

Planning Committee

20 April 2016

Reference:
APP/15/01507

Area Team:
North Team

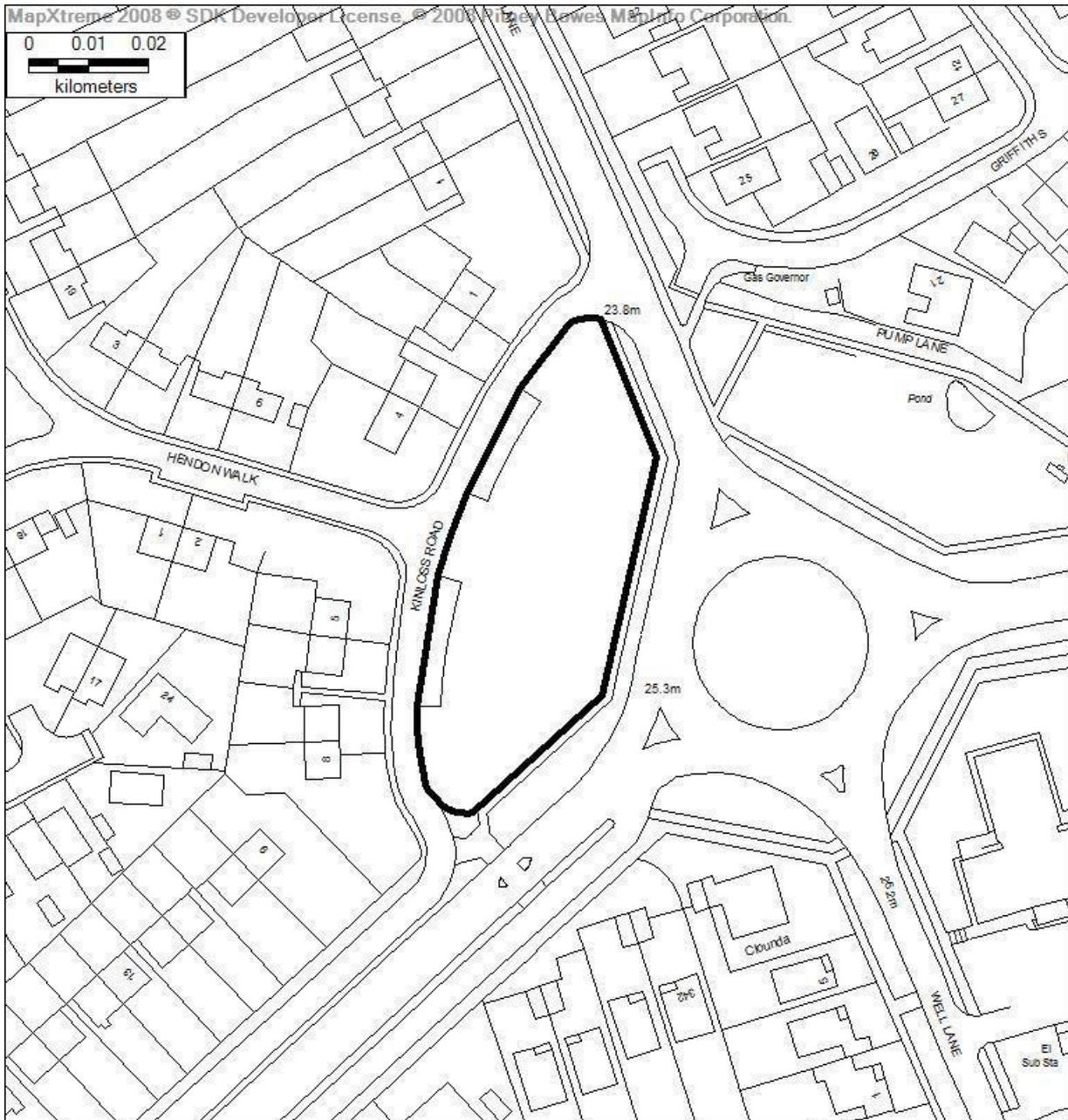
Case Officer:
Mr K Spilsbury

Ward:
**Greasby Frankby
and Irby**

Location: Land to the East side of Kinloss Road, Greasby
Proposal: Erection of 2no. residential apartment blocks with a total number of 19 apartments, with associated landscaping and car parking (100% affordable housing) - amended car parking layout

Applicant: Regenda Ltd
Agent : Condy & Lofthouse Ltd

Site Plan:



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Development Plan designation and policies:

Primarily Residential Area

Planning History:

Location: Paddock, KINLOSS ROAD, GREASBY, CH49 3PS
Application Type: Outline Planning Permission
Proposal: Outline application for development of 4 residential units, and the provision of amenity open space.
Application No: OUT/13/00826
Decision Date: 01/11/2013
Decision Type: Approve

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

Having regard to the Councils adopted Guidance on Publicity for Planning Applications, 89 letters of neighbour notification were issued to adjoining residents and a Site Notice displayed. At the time of writing two representations of support have been received, and 148 representations of objection have been received. The grounds of opposition can be summarised as follows:

1. The proposed design is unsuitable in this location and more suited to city centre location and is too dense for the site.
2. This is an over development that is out of keeping with the surrounding area, too tall and obtrusive. Highway issues generated by the number of apartments at this busy junction causing severe congestion and highway safety issues. The development will exacerbate existing highway problem, there is inadequate parking provision and no thought to emergency vehicles.
3. There are covenants on the site preventing development
4. The local community will not cope with the disruption that the building works will bring, the increase in people and impact upon services, sewerage and electricity.
5. A valuable green space/countryside/green belt will be lost
6. The development will result in a loss of view.
7. There are enough flats in the area
8. The development will result in a reduction in house prices in the area
9. The site should be tidied up and made into a park
10. People state that they have not been notified of the scheme.
11. Inadequate open space, parking provision has been provided for residents
12. The development does not relate well to the building grain/building line, the scheme is ill conceived and block B is too close to corner
13. Development could lead to a transient community?
14. There has been a steady encroachment into Greasby green spaces
15. Is this the right location for affordable housing?
16. The development is located too far away from shops and village facilities as such car trip will be required
17. There is insufficient amenity space provided
18. The scheme is too modern, bin and cycle stores are poorly located and the shaded areas will not allow flowers to grow
19. Adverse impact upon RAF housing and the features of Greasby including the pump
20. Potential problems with the drainage.
21. Protected trees will have to be removed
22. Children's play area too small.
23. Lack of formal crossings in area

Margaret Greenwood MP (for Wirral West) comments that, writing on behalf of a number of residents who have contacted her to express their concerns of this proposal, it is clear from the online planning page that there is significant opposition to this proposal. Concerns have been expressed over its location, size (number of flats etc) and, assuming two cars per property, the massive increase in the volume of traffic on what is already a very busy road. Her constituents have also questioned the change in plans from four bungalows, which was approved, to the new application of two apartment blocks of 19 flats, which creates a serious risk of over-development in this area.

A qualifying petition of objection signed by 300 signatures has been received and

CONSULTATIONS:

Head of Environment and Regulation (Traffic and Transportation Division) – no objection subject to conditions

Head of Environment and Regulation (Environmental Health Division) – no objection.

Local Lead Flood Authority - no objection subject to conditions

Head of Environment and Regulation (Housing Strategy) - No objection

Directors Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Clements requested this application be removed from delegation and considered by the Planning Committee following representations she has received from local residents that the application would represent an overdevelopment of the site. A qualifying petition of objection with 300 signatures on has also been submitted stating the planning application represents an overdevelopment of the site and will have a detrimental impact upon the amenity of local residents. 148 letters of objection have also been received.

INTRODUCTION

The proposal is for the development of 19 affordable housing units in two apartment blocks and associated amenity space, car parking bin and cycle storage. The development is to be located on a vacant greenfield site adjacent to the Frankby Road/Pump Lane/Well Lane roundabout in Greasby.

Outline planning consent with all matters reserved has been granted on the site for the erection of 4 residential units (OUT/13/00826) and as such the principle of residential development has been established at the site. The application site is currently fenced off from public access, and supports grassland and a number of young trees and shrubs.

SITE AND SURROUNDINGS

The application site is an area of open land which it is understood has previously been used as grazing, and as a consequence is referred to in representations as 'the paddock' or 'the donkey field'. The site is broadly semi-circular in shape, does not support any buildings, and includes within it two lay-bys accessible from Kinloss Road. There are a number of trees, predominantly to the eastern edge of the site.

The site is bordered to the west (beyond Kinloss Road) by residential properties which formed part of a former RAF estate and are uniform in design - two-storey, with generous spacing and front and rear garden areas. The roundabout junction is to the east, with Frankby Road and Pump Lane to the south and north.

There is a mix of housing styles in the area including semi-detached, two storey properties located on the RAF estate, detached bungalows and two storey properties along Pump Lane and Frankby Road opposite the site as well as a three storey apartment block on the opposite side of the roundabout - Redcroft.

POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT

The application site is designated as part of Primarily Residential Area within the adopted Unitary Development Plan (UDP). As such, the principle of development for residential purposes is acceptable, subject to compliance with UDP Policies HS4, HSG2, GR5, GR7 and TR12, and Policies WM9 and WM9 in the Joint Waste Local Plan for Merseyside and Halton. SPD2 - Designing for Self-Contained Flat Development and Conversions, SPG42 - Providing for Cyclists, the National Planning Policy Framework (NPPF) and Policies CS8 and CS22 and CS43 in the Core Strategy Submission Draft (December 2012) are other material considerations that should be taken into account.

Policy HS4 of the Wirral Unitary Development Plan establishes a number of criteria that must be met if new housing development is to be permitted, as follows:

- the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- the proposal not resulting in a detrimental change in the character of the area;
- access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;
- the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- the provision of adequate individual private or communal garden space to each dwelling.

UDP Policy HS4 also states all proposals whose main elevations are parallel to other residential properties, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved. Detailed guidance provided in SPD2 is addressed in the section on Amenity and Appearance of this report.

UDP Policy HSG2 enables the Local Planning Authority to negotiate for affordable housing where appropriate. The latest requirements are set out in Policy CS22 in the emerging Core Strategy which expects development of this type to affordable housing at a rate of 20% where viable. The applicant is proposing 100% affordable housing.

Waste Local Plan Policies WM8 and WM9 requires development to incorporate measures for achieving efficient use of resources and to provide measures for waste collection and recycling, including home composting.

NPPF indicates that decision takers should seek to approve sustainable development where possible. Policies in paragraphs 18 to 219, taken as a whole, set out the Governments view of what this means in practice.

As residential development is already acceptable in principle in this location under the UDP and the granting of previous outline planning permission for 4 residential units, the main issue to address under national policy relates to design. NPPF paragraph 56 make it clear that good design and is key aspect of sustainable development and it should contribute to making places better, paragraph 64 goes on to indicate that planning permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of the area and the way it functions.

APPEARANCE AND AMENITY ISSUES

The proposal is for a relatively high density proposal of 19 apartments on a site measuring 0.27 ha, which would achieve appropriate spacing between buildings, provision of private amenity space, bins and cycle storage.

Should members be minded to approve the scheme conditions will be imposed to secure landscaping including boundary treatment in compliance with UDP Policies GR5 and GR7. In terms of scale the design has been reduced significantly from that originally proposed to the Local Planning Authority.

In accordance with SPD2 one third of the whole site should be made available for private landscaped communal areas. This has been achieved. The site area is approximately 2648 square metres and there is 883 square meters of landscaped amenity space provided.

Having regards to UDP Policy HS4 criteria (iii), the car parking layout has been amended at the request of the Local Planning Authority. Consideration of this issue, including the potential impact of the development to the lay-bys currently located within Kinloss Road have been considered as well as highway safety, access and egress onto adjoining roads and accessibility of the site to emergency and

service vehicles. The layout has been amended to reflect the requirements of the Head of Environment and Regulation (Traffic and Transportation Divisions). The development will provide 20 parking spaces and as such complies with the criteria set out in SPD4. The Head of Environment and Regulation (Traffic and Transportation Divisions) has raised no objection to the proposed development. Highway and Traffic Implications are considered in full below.

In terms of residential amenity, the spacing and form of development is such that distances to existing properties avoid potential loss of privacy, outlook or any overbearing impact. The development is in two blocks. Block A has 14 apartments and represents the larger of the two blocks, block B has 5 units and is located to the north of the site separated from the other block by car parking and landscaping.

The proposal will incorporate one third of the site for accessible landscaped amenity space for use by the residents of the scheme.

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 character of the area.

The approach to encouraging brownfield development and for protecting open space under NPPF paragraphs 74 and 111 was considered before outline planning permission was granted at this site for 4 residential units under application OUT/13/00826. It was found in this instance that the application site is not accessible to the public (its previous uses being for grazing). Its public value is thereby limited to visual amenity. Although the Wirral Open Space Assessment Update 2012 shows there is shortage of amenity open space within the settlement area as a whole there is no requirement in this particular case for provision under UDP Policy HS4 & GR6.

Whilst the site is outside the definition of previously developed land set out in the NPPF and the core principles of the framework include the need to encourage the effective use of land by reusing land that has been previously developed, it must be noted that the site is accessibly located within the urban area, accessible and well provided for by transport infrastructure and local services including shops, the library and public houses. Bus services on Frankby Road and Greasby Road are within easy walking distance, as is a shopping parade on Greasby Road.

Local Planning Authority Officers have worked with the developer to ensure that the scheme does not over dominate surrounding properties. The scheme has been lowered in height and in the number of units proposed to ensure the development does not have an adverse impact on local residential amenity. The second floor has been set in and recessed behind a parapet wall to lessen the overall bulk of the development. Windows have been sited so as not to introduce overlooking and building located within the site to ensure there is no dominance/overbearing impact created to the neighbouring dwellings located along Kinloss Road. The scale of the proposal is considered to be appropriate to the surrounding area which is varied in both building style and size. Overall the scheme is deemed acceptable in terms of the criteria set out within Wirral's UDP and NPPF.

The application site is not considered to retain wildlife value warranting mitigation. Appropriately worded conditions would ensure adequate landscaping is delivered within the development proposed, as well as measures such as the inclusion of boundary hedging.

Having regards to the objections relating to drainage, the Local Lead Flood Authority has been consulted and has recommended two conditions to ensure an appropriate management and maintenance plan for a sustainable drainage system is implemented.

In terms of character and the impact of the development upon the street scene, the design of the development is a response to its location. As stated in the planning statement the site is an island site bounded by highway on each side. The resultant scheme therefore ensures active frontages on all sides adding interest to all elevations facing Kinloss Road or the busy roundabout junction. The surrounding area varies in style and appearance with no singular overriding style and whilst the development will have an additional floor than the surrounding properties facing the site on Kinloss Road, the second floor has been set in to limit the buildings bulk and ensure separation distances are met with neighbouring properties.

Whilst the property will have three separate floors, the appearance of the buildings when viewed from the east will be that of a two storey structure due to the topography of the land. The applicant states that the slab level will be comparable with the levels of Kinloss Road rather than the elevated land levels to the east. Should members be minded to approve the application a suitably worded condition for details of land levels and any retaining structure required to achieve these levels will be imposed.

The development is a contemporary design with a mixture of flat and pitched roofs. Proposed external materials have been illustrated on the application drawings. These include a mixture of brick and render with grey roof tiles and cladded dormers to give the proposal a contemporary appearance. The localised flat roof areas are bordered with parapets and copings. It is considered that the proposed materials are high quality that will complement the eclectic mix of existing materials in the surrounding area. Whilst the proposal will be taller than those 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 rear of the dwelling or to the private garden area to the rear.

Considering noise and disturbance issues, the design and layout of development now proposed would limit the potential for impacts either from the blocks or traffic movements themselves. There are considered no grounds for refusal of permission on the amenities that might be afforded to the future occupants of the development or those surrounding the neither site, nor can construction impacts be considered grounds for refusal of planning permission. The Head of Environment and Regulation (Environmental Health) have been consulted with regards to this and has raised no objection. A refusal on these grounds can therefore not be sustained.

SEPARATION DISTANCES

In accordance with SPD 2 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 properties, 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 proposed development has achieved the required separation distances through the design of its building and the positioning of habitable and non habitable windows. Block A has interface distances in excess of 21m at ground and first floor. The predominant outlook from the second floor located within the roof is towards the roundabout junction to the east. There is only one dormer window in the west facing elevation that has been sited to achieve 26m from the closest neighbouring resident. Block B has been designed so that there is only one habitable room window that will face out towards those properties located along Kinloss Road. This is a dormer within the roof space of the building. This is approximately 25m from the closest neighbouring dwelling and as such meets the required separation distances. All other habitable room windows have been sited to ensure the outlook of neighbouring properties is preserved.

HIGHWAY/TRAFFIC IMPLICATIONS

It is not considered that there are significant highway issues. The Head of Environment and Regulation (Traffic and Transportation Division) has raised no objection to the development. Concerns raised regarding visibility at the junction of Kinloss Road with Pump Lane are acknowledged, however, it is not considered that the development would impact highway safety at this junction. In order to ensure no parking takes place at the junction of Kinloss Road, Hendon Walk and Pump Lane a traffic regulation order will be imposed to secure double yellow lines and a condition will be imposed should members be minded to approve the scheme for the provision of tactile paving and dropped kerbs at the junction of Kinloss Road and Pump Lane.

Following concerns over pedestrian safety a footway will be provided along Kinloss Road to provide safe pedestrian access. There is currently only one pedestrian walkway that runs along the front of the existing properties. The development will secure a further pedestrian route that runs behind the proposed parking bays to ensure safe pedestrian movement.

ENVIRONMENTAL/SUSTAINABILITY/HEALTH ISSUES

There are no significant environmental, sustainability or health implications.

CONCLUSION

The proposed development is not considered to have a detrimental impact to residential amenity or character, nor result in the loss of public open space. The introduction of 19 affordable housing units will make a limited contribution to the Boroughs housing supply and would accord with the provisions of UDP Policy HS4, HSG2, GR5 and GR7, SPD2 and the National Planning Policy Framework 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:-

The proposed development is not considered to have a detrimental impact to residential amenity or character, nor result in the loss of public open space. The introduction of 19 affordable housing units will make a limited contribution to the Boroughs housing supply and the proposal would accord with the provisions of UDP Policy HS4, HS6, GR5 and GR7, SPD2 and the National Planning Policy Framework and is therefore recommended for approval.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19th November 2015 and 19th February 2016 and listed as follows: 14-118-110 rev E (Dated 19/02/16), 14-118-171 rev A (Dated 13/11/15), 14-118-120 rev C (Dated 13/11/15), 14-118-150 rev B (Dated 13/11/15) & 14-118-121 rev B (Dated 13/11/15).

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 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. 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

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.

The detailed landscaping plans shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation
- (v) any retaining walls

Reason: In the interests of visual amenity and to ensure that the development complies with Policy HS 4 of the Wirral Unitary Development Plan.

7. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and those satisfactory gradients are achieved.

8. No development shall commence until full details of a scheme for a sustainable drainage system¹ to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement have been submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 102 and 103 of the National Planning Policy Framework, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

9. No development shall take place until a scheme of works to provide waiting restrictions at the junction of Kinloss Road, Hendon Walk and Pump Lane has been submitted to and agreed in writing by the local planning authority. The development shall not be first brought into use until such works have been completed and laid out in accordance with the approved details. The approved scheme shall be retained as such thereafter.

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

10. Before the development hereby permitted is brought into use the windows indicated drawing numbers 14-118-150 Rev B (13-11-2015) and 14-118-121 Rev B (13-11-2015) shall be obscurely glazed with frosted glass and non opening up to a level of 1.8m above finished floor level and shall be retained as such thereafter.

Reason: In the interest of amenity having regards to Policy HS4 of Wirral's Unitary Development Plan.

11. No development shall take place until a full scheme of works and timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, tactile paved pedestrian crossings, street furniture and access onto the adjacent highway has been submitted to and agreed in writing with the Local Planning Department. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

Reason: In the interest of highway safety and to comply with UDP Policy HS4 of Wirral's Unitary Development Plan.

12. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained, unless otherwise agreed in writing with the Local Planning Authority in accordance with the approved scheme. The scheme shall include:

- 1) The numbers, type, tenure and location of the site of the affordable housing provision to be made;
- 2) The timing of construction of the affordable housing;
- 3) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing and the means by which such occupancy can be enforced.

Reason: To comply with the principles of UDP Policy HSG2 - Affordable Housing and Policy HS6 - Principles for affordable Housing.

13. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

Further Notes to Committee:

1. Details of a scheme for a sustainable drainage system should include:
 - a) Information about the lifetime of the development and design of the sustainable drainage system design, including storm periods and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), methods employed to delay and control surface water discharged from the site, and appropriate measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses;
 - b) Demonstrate that the surface water run-off would not exceed the pre-development greenfield runoff rate for the existing greenfield site;
 - c) Include details of a site investigation and test results to confirm infiltrations rates;
 - d) Include details of how any flood water, including depths, will be safely managed in exceedance routes;
 - e) Secure arrangements for adoption by an appropriate public body or

statutory undertaker or, management and maintenance by a Residents' Management Company through an appropriate legal agreement;

- f) Secure arrangements, through an appropriate legal agreement for funding on-going maintenance of all elements of the sustainable drainage system including:
 - i mechanical components;
 - i. on-going inspections relating to performance and asset condition assessments and;
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- g) Secure means of access for maintenance and easements, where applicable.
- h) Include a timetable for implementing the scheme

Last Comments By: 11/03/2016 15:19:05
Expiry Date: 18/02/2016