

# Planning Committee

15 September 2016

**Reference:**  
**APP/16/00811**

**Area Team:**  
**South Team**

**Case Officer:**  
**Ms J Storey**

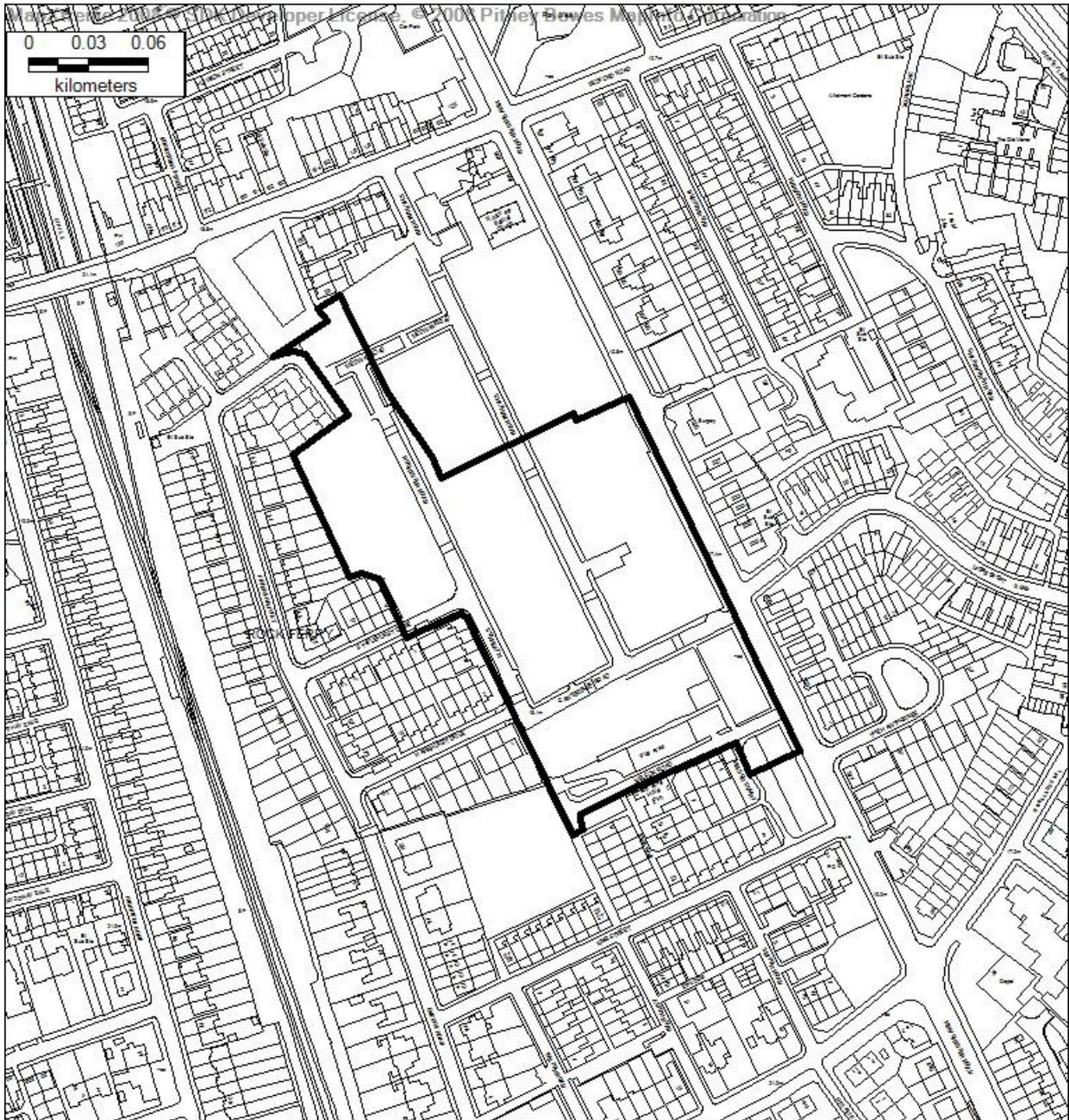
**Ward:**  
**Rock Ferry**

**Location:** Cleared land to the east of New Chester Road, ROCK FERRY, WIRRAL, CH42 2AZ

**Proposal:** Erection of 112 two / two and a half storey family homes, landscaping and associated works

**Applicant:** Lovell Partnerships Limited  
**Agent :** DK-Architects

## Site Plan:



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**Development Plan Designation:**

Primarily Residential Area

**Planning History:**

- Location: Fiveways bordered by Bedford Road to North, New Chester Road to South, Rock Ferry Wirral, CH42 2BG  
Application Type: Outline Planning Permission  
Proposal: Erection of 148 houses.  
Application No: OUT/06/07397  
Decision Date: 05/10/2007  
Decision Type: Approve
- Location: Fiveways, bordered by Bedford Rd, Rochester and Chatham Roads, Nelson Road and Railway Line, Rock Ferry Wirral, CH42 2BG  
Application Type: Advertisement Consent  
Proposal: Erection of 13 no. advertisements for information regarding the housing development at the site.  
Application No: ADV/09/05444  
Decision Date: 22/06/2009  
Decision Type: Approve
- Location: Land boarded by Bedford Road to north, New Chester Road to east and Nelson Road to south, Rock Ferry, Wirral  
Application Type: Full Planning Permission  
Proposal: Erection of 148 houses (extension of time to OUT/2006/7397)  
Application No: APP/10/01205  
Decision Date: 26/01/2011  
Decision Type: Approve
- Location: Land boarded by Bedford Road to north, New Chester road to east and Nelson Road to south, Rock Ferry, Wirral  
Application Type: Full Planning Permission  
Proposal: Erection of 78 houses and 57 apartments (extension to OUT/2006/7396)  
Application No: APP/10/01206  
Decision Date: 26/01/2011  
Decision Type: Approve
- Location: Land corner of , Chatham Road, and Canterbury Road, Rock Ferry, Wirral, CH42 2A  
Application Type: Outline Planning Permission  
Proposal: Erection of six semi detached houses  
Application No: OUT/01/06186  
Decision Date: 19/10/2001  
Decision Type: Approve
- Location: Garage sites, 21-27, Railway Road, Rock Ferry. L42 OHH  
Application Type: Outline Planning Permission  
Proposal: Erection of three terraced houses, (outline).  
Application No: OUT/93/05500  
Decision Date: 21/05/1993  
Decision Type: Approve

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

Having regard to the Council Guidance on Publicity for Applications, 183 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report, no objections

have been received and one comment which is summarised as:

Are there any provisions for addressing the National Planning Policy Framework with regards to Promoting sustainable transport and to incorporate facilities for charging plug-in and other ultra-low emission vehicles?

#### CONSULTATIONS

**Head of Environmental & Regulations (Traffic and Transport Division)** - No objection, subject to the attached conditions'

**Head of Environmental & Regulations (Pollution Control Division)** - No objections

**Strategic Housing Services** - support the proposal

**Lead Local Flood Authority** - No objection subject to the attached conditions

**Wirral Wildlife** - no objection subject to the attached conditions.

#### **DIRECTORS COMMENTS:**

#### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

This application is referred to the planning committee as a proposed major development which is required to be considered and determined by the Planning Committee having regards to the Council's approved Scheme of Delegation for the Determination of Planning Applications.

#### **INTRODUCTION**

The application site forms a major part of the Fiveways scheme, which was initially included in the former Housing Market Renewal Pathfinder programme in Rock Ferry. An outline planning application and master plan for the area, which included a set of design codes for the site was approved by the Local Planning Authority in 2007. This proposed a phased approach to the development aiming to provide in the region of 280 new homes.

The first phase of the development consisting of 128 mixed tenure houses and bungalows was granted Reserved Matters Planning approval in 2008 and completed in 2010. This application is for the construction of 112 new dwellings comprising of 87, three bedroomed houses and 25, two bedroomed units, landscaping and associated works. This scheme is phase two of three within the master plan area.

#### **PRINCIPLE OF DEVELOPMENT**

The site is designated and part of the Primarily Residential Area, where new housing is acceptable in principle subject to Policy HS4 in the Wirral Unitary Development Plan. .

#### **SITE AND SURROUNDINGS**

The application site is within a designated Primarily Residential Area within Wirral's Unitary Development Plan and is located to the west of New Chester Road. The land to the north and west has been developed for housing as part of the first phase of the Fiveways project.

The site, following the clearance of properties along Rochester Road and Canterbury Road, has been grassed over and remains undeveloped.

#### **POLICY CONTEXT**

##### **Wirral Unitary Development Plan**

Policy URN1 Development and Urban Regeneration states that full and effective use should be made of land and focuses on the importance of bringing neglected, unused or derelict land into use.

Policy HS4 - Criteria for New Housing Development advises that proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on The Proposals Map will be permitted subject to -

- the proposal being of a scale which relates well to surrounding property, in particular regards to

- density and form
- does not result in a detrimental change in the character of the area
- access and servicing can be satisfactorily accommodated
- appropriate landscaping is proposed
- design features should contribute to a secure and safe environment
- accessible public open space and children's play space
- provision of adequate individual private or communal garden space to each dwelling

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 - The Local Planning Authority will require applicants to submit full landscape proposals before planning permission is granted.

Policy GR6 - Greenspace within new family housing development sets out the need to provide adequate public, open greenspace within development sites.

Policy GR7 - Trees and New Development 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.

UDP Policy TR9 requires off-street parking to be viewed on the context of overall transport policy and particularly, the need to reduce travel by private car, especially within areas that are well served by public transport.

UDP Policy TR12 requires provision of cycle parking where it is considered to be both practicable and desirable.

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 required 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. Development should also make a positive contribution to an area and use opportunities to improve the character of the area.

### **Affordable Housing Provision**

Proposals in this location are normally required to provide for affordable housing at a rate of 10% unless it can be shown that this is not viable under the terms of UDP Policy HSG2 and Policy CS22 in the emerging Core Strategy.

The scheme is part of a master plan for the redevelopment of this part of the Borough which includes re-balancing the housing market. There is a formal partnership arrangement in place between Wirral Council and its developer partner Lovell's to take forward this redevelopment in phased stages. To date phase one has been completed and included within this was the delivery of 75 units of affordable housing. This delivery so far helps to provide for wider affordable housing provision across the Master plan area as a whole.

This application is for phase 2a of the overall residential redevelopment, with a further Phase 2b anticipated to deliver a mixture of affordable housing therefore ensuring that the overall redevelopment across the plan area provides a mixture of both affordable and market housing.

The Director of Strategic Housing Services is satisfied that the provision of affordable housing on the first phase together with the anticipation of a further delivery in the 3rd phase will ensure that the ambitions for the clearance and redevelopment of this site can be achieved and will continue the focus on helping to rebalance the local housing market.

## **APPEARANCE AND AMENITY ISSUES**

The National Planning Policy Framework recognises the importance of requiring good design in development. Paragraph 56 states that "Good design is a key aspect of sustainable development and is indivisible from good planning, and should contribute positively to making places better for people.

The proposal includes the key elements and objectives of the original master plan for the site and provides a mix of 2 and 3 bedroomed family dwellings with a range of sizes and layouts. The submitted scheme is Urban in form and layout and will provide an edge to the street with active and semi active frontages. The corner units contain windows to both frontages ensuring that there are no blank gables to the street. All the dwellings contain provision for off street parking and good sized rear gardens.

The site is bounded by a mixture of terrace, semi-detached and single storey dwellings. The palette of materials within the existing properties is fairly consistent and comprises of mainly red brick, pitched tiled slate roofs and bay windows at ground floor level.

New Chester Road is the primary frontage, the proposed properties will front onto this road in order to continue the street scene along this route. The remaining properties will create a new road frontage within the site to continue the active frontages in the area. Each of the dwellings contains curtilage parking, with the houses having access to the front and private rear gardens.

The proposed elevations are complementary to the wider area and will be constructed from a multi red brick and will contain pitched roofs. The architects have advised that the buildings have been designed to be an attractive, complementary addition to the existing phases. As brick is the dominant material for the majority of the houses in the area it is considered to be an acceptable use of materials here. The proposal includes brick detailing and bonding patterns are proposed to add depth and interest to the proposed properties.

The proposal also includes sheds to the rear gardens of each property. Each shed is fitted with a secure hoop for cycles.

In terms of scale and massing, the proposed scheme will contain a mix of 2, and 2.5 storey housing which connects well with the surrounding properties.

## **SEPARATION DISTANCES**

The proposal on the whole meets the required separation distances of habitable room windows directly facing each other should be at least 21 metres apart. However, the proposed layout follows the urban grain of existing development in the immediate area and is therefore considered to be acceptable in this instance.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal.

## **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The site is an accessible local and will contribute to meeting the housing needs within the Borough.

The applicants have submitted a Flood Risk Assessment which has been assessed by the Lead Local Flood Authority who has not raised any objection to the proposal subject to the attached conditions

## **HEALTH ISSUES**

There are no health implications relating to this application.

## **CONCLUSION**

The proposed development is considered to be of a scale, design and layout that complements the surrounding development. The proposal will not result in any significant impacts on the amenities of neighbours of surrounding properties or future occupiers through overshadowing, loss of daylight or sunlight or poor outlook. It is considered that the proposed development complies with Policy HS4 of the adopted Wirral Unitary Development Plan 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 of a scale, design and layout that complements the surrounding development. The proposal will not result in any significant impacts on the amenities of neighbours of surrounding properties or future occupiers through overshadowing, loss of daylight or sunlight or poor outlook. It is considered that the proposed development complies with Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

**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. 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 Policies of the Wirral Unitary Development Plan.

3. No development shall commence until full details of a scheme for a sustainable drainage system 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 drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Paragraph 103 and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

4. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 22nd June 2016 and listed as follows: 1153-P-01, 1153-S-01, 1153-P-01-08, 1153-P-01-09, 1153-P-11, 153-P-12, 153-P-13, 1153-P17

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

5. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interests of highway safety and to accord with Policies of the Wirral Unitary Development Plan.

6. Details of the proposed landscaping shall 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 tree species for planting shall be native and typical of the Local Area.

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

7. The approved hard and soft landscaping scheme hereby shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

**Reason:** In the interests of visual amenity and to comply with Policy DQ3 of the Wirral Unitary Development Plan.

8. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwellings are occupied.

**Reason:** To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties and to accord with Policies of the Wirral Unitary Development Plan.

9. 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 Waste Local Plan.

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 Waste Local Plan.

10. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1<sup>st</sup> March to 31<sup>st</sup> August inclusive unless inspected immediately beforehand by a competent ecologist and found to be free of active nests.

**Reason:** To protect birds during their breeding season and to comply with Policies in the Wirral Unitary Development Plan.

11. No development shall take place until a full scheme of works and a timetable for the construction of the new highways and/or amendments of the existing highway made necessary by this development. including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, TRO's tactile paved pedestrian crossings, street furniture, access to the adjacent highway, road safety audit and monitoring 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 Criteria for New Housing Development.

12. Foul and surface water shall be drained on separate systems

**Reason:** To secure proper drainage and to manage the risk of flooding and pollution

**Further Notes for Committee:**

1. Details in relation to condition 3 shall include:
  - i. the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
  - ii. arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
    - a. on-going inspections relating to performance and asset condition assessments
    - b. 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;
  - iii. means of access for maintenance.
  
2. Details of a scheme for a sustainable drainage system should include:
  - a) Information about the lifetime of the development and detailed design, including drawings, of the sustainable drainage system, including methods employed to delay and control surface water discharged from the site;
  - b) Details of the location of the surface water drainage system, ensuring that all components of the surface water drainage system are contained within the curtilage of the development site;
  - c) Details of how any flood water, including depths, will be safely managed in exceedance routes;
  - d) 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;
  - e) 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;

- f) Secure means of access for maintenance and easements, where applicable;
- g) Timetable for implementing the scheme.

**Last Comments By:** 20/07/2016  
**Expiry Date:** 21/09/2016

