

**Planning Committee**

**15 August 2019**

**Reference:  
APP/19/00564**

**Area Team:  
Development  
Management Team**

**Case Officer:  
Mr N Williams**

**Ward:  
Bidston and St  
James**

**Location:** CLEARED SITE, BEAUFORT ROAD, BIRKENHEAD  
**Proposal:** To construct 178 dwellings with associated parking, access and landscaping  
**Applicant:** Keepmoat Homes  
**Agent :** N/A

**Qualifying Petition:** No

**Site Plan:**



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**Development Plan designation:**

Primarily Residential Area

**Planning History:**

There is no relevant planning history for this site

**Summary Of Representations and Consultations Received:****1.0 WARD MEMBER COMMENTS**

1.1 No comments received.

**2.0 SUMMARY OF REPRESENTATIONS****2.1 REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications, 27 notifications were sent to adjoining properties and a Site Notice displayed at the site. At the time of writing, there had been no comments received.

**2.2 CONSULTATIONS**

**Highways** - No objection subject to the attached conditions

**Environmental Health** - No objection subject to conditions relating to noise, land remediation and air quality being attached.

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

**3.1 Site and Surroundings**

3.1.1 The application site comprises of a large area located between a railway line to the south, Beaufort Road to the north, Lincoln Street to the east and Birkenhead North train station car park to the west. The site is currently vacant but previously contained a large number of houses. Only three of these houses now remain, with only one of those occupied.

3.1.2 The site is designated within the Wirral Unitary Development Plan as being a Primarily Residential Area. Despite this, due to the vacant nature of the site, the large brick dock wall opposite and areas of industrial land to the east and north, the area is somewhat desolate with the current site contributing negatively to the overall character of the area.

**3.2 Proposed Development**

3.2.1 The application is for the erection of 178 dwellings with associated parking, access and landscaping. The houses will mostly be set out in a linear pattern, facing Beaufort Road to the north with two new linear roads to the rear making up the bulk of the development. The new dwellings on the area to the west of Ilchester Road will be laid out in a slightly more organic pattern. Each of the dwellings will have off-street parking and private rear gardens.

**3.3 Development Plan**

3.3.1 The proposed development is primarily subject to Wirral Unitary Development Plan Policy URN1: Development and Urban Regeneration; Policy HS4: Criteria for New Housing Development; Policy GR5: Landscaping and New Development; Policy GR6: Greenspace within New Family Housing Development. Supplementary Planning Document 4: Parking Standards is also relevant.

**3.4 Other Material Planning Considerations**

3.4.1 The National Planning Policy Framework (NPPF) was revised in February 2019. It establishes a presumption in favour of sustainable development, and stipulates that approach to housing supply that must be taken by Local Planning Authorities. The NPPF supports sustainable housing development which encompass good design and widens the choice of high quality homes. Development should make a positive contribution to an area and use opportunities to improve the character and quality of an area. Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in particular locations to reflect local demand.

### **3.5 Assessment**

3.5.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;
- Layout, Design & Scale;
- Highways;
- Ecology & Environment; and
- Amenity

#### 3.6 Principle of Development:

3.6.1 The site is brownfield land which was previously the site of a residential estate which has since been demolished. The principle of redeveloping the site for new residential dwellings, within a designated Primarily Residential Area, is therefore considered to be acceptable.

3.6.2 The site is currently owned by the Council and it's understood that the sale of the land is subject to a Development Agreement. The applicant has indicated that the viability of the scheme is finely balanced with significant remediation required. The land has a negative land value requiring gap funding from Homes England and due to this, no affordable housing is to be secured through the planning process. This has been independently assessed on behalf of the Council and this position has been verified.

#### 3.7 Layout, Design & Scale:

3.7.1 The development is mostly laid out in a way which follows the existing road pattern of the area, similar to the previous residential estate. Whilst this results in an extremely linear development, it is not unusual within Birkenhead, which has significant history for its gridiron layout. The principle of this layout is therefore acceptable.

3.7.2 The proposed development allows for off-street parking for each of the new dwellings, together with an adequate rear garden area. Most of the dwellings are either detached or semi-detached and the majority are traditional two-storey in scale. Some dwellings do incorporate front dormers, but this does not significantly increase the scale of them and will not harm the character of the area. Overall, the density of the scheme is considered to be suitable and makes effective use of this brownfield site.

3.7.3 In order to provide variety in the appearance of the scheme, there are 11 different types of dwellings incorporated into the development. This is especially important given the linear nature of parts of the site. The different dwelling types do share similarities with each other to ensure the development reads as one development, but no pair of dwellings of the same type will be located next to each other and this will ensure sufficient interest is provided across each street scene.

3.7.4 Off-street parking is provided to the side of most of the new dwellings, and this provides sufficient space between the buildings and helps to break up the linear nature of some of the scheme. This will allow for small front garden areas in front of each of the new dwellings and this will further enhance the appearance of the scheme.

3.7.5 In terms of design, the proposed dwelling types are fairly traditional, with brick headers and cills, front dormers, front-facing gables and small front canopies all providing visual interest. Corner dwellings have been designed with active frontage for both roads, whilst a mix of two types of brickwork throughout the site adds further variety. Overall, the design of the proposed dwellings is considered suitable for this area.

#### 3.8 Highways:

3.8.1 The applicant has submitted a Transport Assessment in support of the application which considers the impacts of the anticipated new trips on the local highway network.

3.8.2 The likely vehicle movements have been based on TRICS, a nationally recognised database, which provides information for similar land uses. No deduction has been made for the

previous residential development of the site. Traffic surveys have been carried out to establish the current vehicle patterns and these flows have been growthed to an anticipated opening year of 2024 using standard growth factors provided by TEMPRO.

- 3.8.3 A worst case scenario has then been considered in which all traffic from the development has been assumed to turn left onto Beaufort Road. The distribution of the traffic at the roundabout has been based on the split observed in the recent traffic surveys.
- 3.8.4 The report has assessed the impact of the new trips at the roundabout junction of Beaufort Road/Wallasey Bridge Road and the traffic signal junctions around St James Church in detail. The results of the ARCADY and LINSIG modelling show that the junctions are working within capacity with low levels of queuing in the peak hours and the addition of the trips generated by the development would not significantly impact on the operation of these junctions.
- 3.8.5 It is considered that the site is well located for access to local amenities and public transport provision however a condition has been recommended to ensure that a suitable safe route is provided across Ilchester Road for pedestrians walking to/from Birkenhead North train station.
- 3.8.6 The proposals include provisions for cyclists on Ilchester Road and the introduction of traffic calming measures and a 20mph zone. Most of the proposed dwellings also have two off-street parking spaces available.
- 3.8.7 In conclusion, it is considered that there are no sustainable reasons to refuse this application on the grounds of highway safety or congestion subject to the recommended planning conditions.
- 3.9 Ecology & Environment:
- 3.9.1 The application has been screened for whether an Environmental Impact Assessment (EIA) is required, under EIA Regulations 2017. Taking account of the characteristics and location of the development and potential impacts, the development does not fulfil any of the criteria which might lead to a positive screening for EIA, and an EIA is therefore not required in this instance.
- 3.9.2 A Habitats Regulation Assessment (HRA) has been carried out and identified the potential for increased recreational pressure to protected European sites from the increase in population of this site. To overcome this, the Council has secured £100,000 funding for the following:
- Signage from the development site to alternative greenspaces (Birkenhead Park and Bidston Moss Nature Reserve);
  - A new crossing point at Wallasey Bridge Road to allow safe crossing to Bidston Moss;
  - Access improvements and enhancements of the existing entrance to Bidston Moss from Wallasey Bridge Road.
- 3.9.3 In addition, the applicant has offered a sum of £20,000 as a contribution towards enhancing ranger provision to manage recreational pressure and disturbance as well as educating and raising awareness and understanding of the European sites and their importance. This has been secured through a Unilateral Undertaking submitted by the applicant.
- 3.9.4 An Appropriate Assessment was subsequently carried out and concluded that, with the inclusion of the mitigation measures set out above, there will be no adverse effect on the integrity of the Mersey Narrows and North Wirral Foreshore SPA and Ramsar, Mersey Estuary SPA and Ramsar sites, or the Dee Estuary SAC, SPA and Ramsar sites.
- 3.9.5 A number of additional conditions have been attached relating to other ecological matters and, subject to these conditions, the scheme is considered to be acceptable from an ecological aspect.
- 3.9.6 The applicant has submitted a Drainage Strategy which has been considered by the Lead Local Flood Authority. This is considered to be acceptable, subject to the attached

conditions.

- 3.9.7 A number of trees will be removed as part of the development. Only one of the trees to be removed is classed as being of moderate value or better, with the rest being of low or poor value. There will be a replacement planting scheme for the site and given the benefits of bringing this brownfield site back into use, the loss of these low quality trees is acceptable.
- 3.10 Residential Amenity:
- 3.10.1 Due to the derelict nature and location of the site, the only existing residential property in close proximity to the application site is at 8 Ilchester Road. This property stands alone (with empty properties either side). The proposed dwellings will all be a sufficient distance from this property, with habitable windows being at least 21 metres away and blank elevations being a minimum distance of 14 metres away. It is therefore considered that the proposal would not have a detrimental impact upon the amenities of this property.
- 3.10.2 Each of the new dwellings will have a private rear garden, ranging in depth from around 7 - 12 metres. This will ensure an adequate amount of private amenity for future occupiers. Some separation distances within the site (between new dwellings) are lower than the normal requirement. However, this is considered acceptable in this instance given that this will not impact upon existing properties/occupiers, and in order to make effective use of what is a problematic site which has a detrimental impact upon the surrounding area and which has a low land value and therefore associated viability issues. The benefits of bringing this brownfield site back into use with a sustainable development therefore outweighs the reduced separation distances between proposed dwellings.
- 3.10.3 Wirral UDP Policy GR6 requires developments of more than 35 family houses to provide on-site public open space provision, unless they are within 400 metres of an existing accessible public open space of 1.5 hectares or more. In this instance, the site is within close proximity to Ilchester Park, which is just over 100 metres from the site, but just under the 1.5 hectare requirement. In addition, however, is a further area of amenity space on the corner of Lincoln Street and Corporation Road, which is within 50 metres of the site. The combined area of these two amenity spaces is above the 1.5 hectare requirement set out within Policy GR6. Therefore, whilst the proposal does not strictly comply with this requirement, given the extremely close proximity of these two areas of public open space the lack of on-site public open space is considered to be acceptable. A further consideration is the viability gap apparent with this scheme. If public open space was to be provided on site then this would require a reduction in the number of dwellings proposed, and the viability of the scheme would therefore worsen. The benefits of bringing the site back into use is therefore further justification to allow a slight deviation from Policy GR6.

#### **Summary of Decision:**

The proposed development will bring back into use a vacant brownfield site which will benefit the wider area and contribute to meeting an identified housing need. The proposal will not harm the amenities of nearby properties or the character of the area and is therefore considered to comply with relevant policies within the 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. The development hereby permitted shall be carried out in accordance with the approved

plans received by the local planning authority on 11th April 2019 and listed as follows:  
KHNW-MB-01; KMT/PL-106-2; KMT/PL-106-3; SK04-1; 1030-1; 1040-1; 1070-1; 1080-1;  
1090-1; 1130-1; 1140-A; 1170-1; 1200-1; 1210-1

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

3. The external finishes of the development shall correspond with the submitted Materials Plan (Drawing KHNW-MB-01 Revision F) unless otherwise agreed in writing by the Local Planning Authority

**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 residential development besides remediation and land clearance shall commence until the **final detailed sustainable drainage design**, for the management and disposal of surface water from the site which shall be limited to a discharge rate of 21 l/s and based on the principles and details identified in the following document has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- Flood Risk Assessment Report for Beaufort Road at Birkenhead (01/04/2019/ File Ref: 6738FRA\_RevA/ Coopers)

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraph 165 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

5. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority. The surface water drainage system shall be offered for adoption to United Utilities at adoptable standards where adoption has been submitted in the drainage strategy.

The approved drainage scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

**Reason:** To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 165 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

6. No development other than demolition and remediation shall take place until a Site Waste Management Plan (or similar waste audit), confirming measures to achieve efficient use of resources and including designing out waste and minimisation of off-site disposal, 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. For the avoidance of doubt, these details could be included within a Construction Environment Management Plan (CEMP) if one is to be produced for the development.

**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 of the Wirral Unitary Development Plan and policy WM9 of the Merseyside and Halton Joint waste Local Plan.

7. No tree felling, scrub clearance, hedgerow removal, vegetation management, is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, the appropriate measures specified by the licensed ecologist are to be undertaken

**Reason:** In the interests of protecting breeding birds, having regard to Wirral UDP Policy NCO1

8. The submitted landscape scheme, as detailed on Drawings LDS-453 01A, LDS-453 02A and document LDS-453(A) - LS, shall be implemented no later than the first planting season following first occupation unless otherwise agreed in writing by the Local Planning Authority

**Reason:** For the avoidance of doubt and to ensure the satisfactory landscaping of the site, having regard to Wirral Unitary Development Plan Policy GR5

9. NO DEVELOPMENT SHALL TAKE PLACE (other than remediation and land clearance) UNTIL a Construction Management Plan or Construction Method Statement for the construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The construction works shall be carried out in accordance with the approved details.

Details submitted in respect of the method statement shall provide for routes for construction traffic, the provision of parking facilities for contractors and visitors during all stages of the development, hours of operation, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials and shall provide for wheel cleaning facilities during the site preparation and construction stages of the development and/or method(s) of prevention of mud being carried onto the highway.

**Reason:** In the interests of highway safety and to accord with Policy HS4 of the Wirral Unitary Development Plan.

10. With reference to Drawing KHNW-MB-01 Revision F, the integrated bird and bat boxes shall be installed prior to first occupation of any dwelling in which they will be located, and retained as such thereafter

**Reason:** In the interest of nature conservation having regard to Wirral UDP Policy NCO1 and the submitted Ecological Assessment

11. The Lime Tree (identified as TN4 in the Ecological Assessment) shall be felled using soft fell techniques under the supervision of a suitably qualified ecologist

**Reason:** In the interest of nature conservation having regard to Wirral UDP Policy NCO1 and due to the low bat roost potential of the tree

12. A sales/information pack highlighting the location of, and promoting the use of, alternative greenspaces within the area (such as Birkenhead Park and Bidston Moss) and explaining the importance, sensitivities and vulnerabilities of protected European Sites to recreational impacts, shall be provided to every new home buyer for the development hereby permitted.

**Reason:** To protect European Sites from excessive recreational pressure

13. The noise mitigation measures specified in Section 7 of the Hepworth Acoustics Report No. P17-205-R01-V2 (Assessment of noise impact on proposed residential development dated February 2019) shall be implemented prior to first occupation of the site and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority

**Reason:** To ensure significant adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise are avoided having regards to the National Planning Policy Framework

14. The remediation strategy submitted with this application (Coopers, Report Reference 6741rs) shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development first being occupied

**Reason:** To ensure satisfactory remediation of the site having regards to the National Planning Policy Framework

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development being brought into use.

**Reason:** To ensure the satisfactory remediation of the site having regards to the National Planning Policy Framework

16. The clearance, remediation and development of the site shall be in accordance with the submitted 'Invasive Weed Management Plan' unless otherwise agreed in writing by the Local Planning Authority

**Reason:** To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works and to accord with the aims of Policy NC01 in the Wirral Unitary Development Plan.

17. Prior to commencement of any construction, 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 signage, amendments to existing TRO's, introduction of new TRO's associated with the development, road markings, introduction of a traffic calming scheme, introduction of a cycleway to Ilchester Road, provision of tactile paved pedestrian crossings, street furniture, access onto the adjacent highway, road safety audit and monitoring shall be 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 Wirral Unitary Development Plan Policy HS4

18. Within 3 months of first occupation of the development a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the travel plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority

**Reason:** In the interests of highway safety, sustainable travel choices and to accord with Policy TRT3 in the Wirral Unitary Development Plan

#### **Further Notes for Committee:**

1. In relation to Condition 4, Final Sustainable Drainage Strategy to be in accordance with DEFRA's Technical Standards for Sustainable Drainage Systems and the SuDS Manual and include:
  - Justification of final design

- Designer risk assessment
  - Drawings to include:
    - Final layout of roads and properties including plot numbers, finished floor levels and boundaries
    - Final layout of sewers; outfalls; SuDS; flow controls and overland flow paths (designed for exceedance)
    - Longitudinal sections showing existing and proposed ground levels, invert levels (to OS datum), manhole and pipe sizes; pipe gradients; SuDS; emergency overflows and annotation that correlates to the hydraulic calculations
  - Hydraulic modelling for final drainage strategy to include:
    - Pipe network design
    - System performance for following return periods; 1, 30, 100, 100 plus appropriate climate change allowance
    - Design criteria summary, Full network details table, Contributing area summary, Control/storage structure details, Results summary print outs
    - Volumetric runoff co-efficient (Cv) should be set to '1'
    - Rainfall model should preferably be FEH for robustness
    - Sensitivity checking for climate change at 40% if lower allowance used
    - Urban creep allowance of 10% must be included for residential development
  - Maintenance statement explaining who will own the SuDS and how maintenance and replacement will be funded over the lifetime of the development. Agreement in principle for adoption and maintenance by the appropriate WaSC should be provided.
  - Evidence that means of access for maintenance and easements, where applicable, has been secured.
  - Construction phase surface water management plan for each construction phase
2. In order to fulfil the highway condition, it will be necessary to enter into a legal agreement with the Council to secure the works under the Highways Act and the New Roads and Streetworks Act. The agreements would include details of the works to be carried out including all necessary new carriageways, footways, street lighting, surface water drainage, amendments to existing TRO's including associated traffic signage and road markings, the introduction of a suitable traffic calming scheme throughout the development, introduction of a new 20mph zone across the site with necessary TRO's including associated traffic signage and road markings, any necessary street furniture, tactile pedestrian paved crossings to junctions including necessary tactile pedestrian paved crossings between the development and Station Road in order to provide a safe pedestrian route to Birkenhead North Train Station in Station Road, introduction of an on-street segregated cycleway to east and west side of Ilchester Road between Beaufort Road and Station Road, Road Safety Audit and Road Safety Audit monitoring.

**Last Comments By: 30/05/2019**  
**Expiry Date: 11/07/2019**