

Reference:
APP/19/00636

Area Team:
Development
Management Team

Case Officer:
Miss A McDougall

Ward:
Heswall

Location: Heswall Gospel Hall Assembly Of Christian Breth, PENSBY ROAD, HESWALL, CH60 7RD

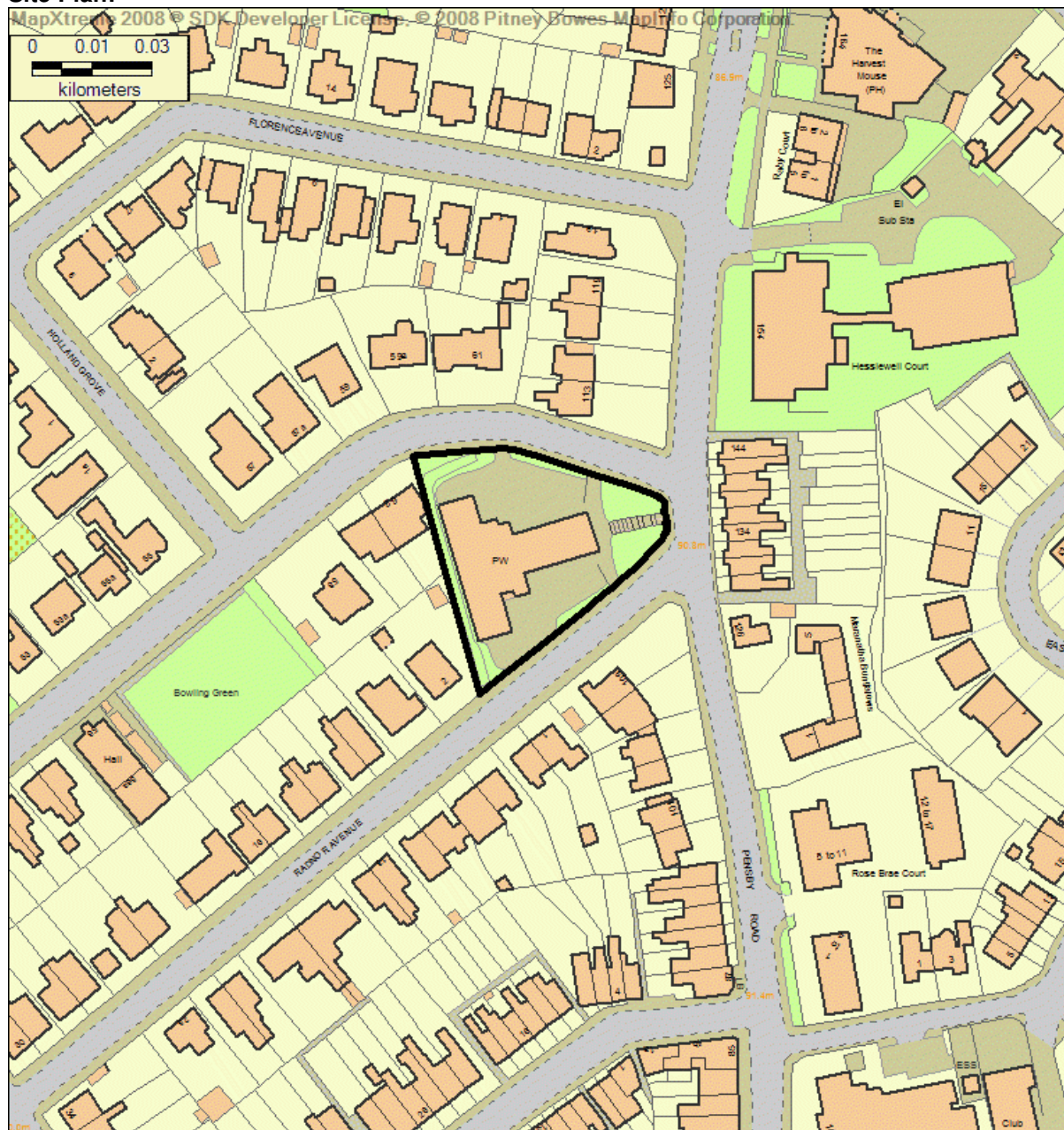
Proposal: Proposed demolition and erection of a three storey new build residential development containing 23 Flats (4no. 1 bed and 19no. 2 bed). Car Parking located to the rear of the site accessed from both Poll Hill Road and Radnor Avenue. Amenity space is provided to the perimeter and bin & cycle storage is provided adjacent to the car park.

Applicant: Forth Homes Ltd
Agent : Paddock Johnson Partnership

Qualifying Petition: Yes
Petition Number: **Number of signatures:**

1	217
2	176

Site Plan:



Development Plan designation:

Primarily Residential Area

Planning History:

Location: Heswall Gospel Hall, Pensby Road, Heswall. L61
Application Type: Full Planning Permission
Proposal: Extension for W.C. facilities.
Application No: APP/95/05652
Decision Date: 17/05/1995
Decision Type: Not required

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

1.1 No comments received.

2.0 SUMMARY OF REPRESENTATIONS

Two Qualifying petitions of objection have been received and more than 15 separate letters.

REPRESENTATIONS

Two Qualifying petitions and 57 letters of objection have been received on the following grounds:

1. overdevelopment
2. out of character
3. highway safety
4. parking, limited spacing
5. loss of privacy
6. loss of church building
7. proposed design
8. height of the proposed building
9. density

CONSULTATIONS

The Heswall Society - Objections based on the loss of the existing building and overdevelopment of the site

Highways - Informative for new crossings

Environmental Health - No objections

MEAS - Following additional information, conditions for habitat mitigation to be included

Housing - Condition affordable housing

LLFA - No objection subject to conditions

3.1 Site and Surroundings

- 3.1.1 The application site currently contains a single storey church hall with part two-storey associated buildings to the rear.
- 3.1.2 The site bounds three roads, fronts onto Pensby Road with access off both Poll Hill Road and Radnor Avenue to either side.
- 3.1.3 The application site is at a much more elevated level than the street level of Pensby Road however it is noted that the two side roads slope upwards to the west and the rear of the site.
- 3.1.4 There is a variety of buildings in terms of appearance and scale within the immediate area, the adjacent land levels also impact the scale and position of some of the neighbouring properties, for example the two storey dwellings on Pensby Road have a much lower ridge height than bungalows on Poll Hill Road.

3.2 Proposed Development

- 3.2.1 The proposal is for the redevelopment of the site to replace an existing church and associated buildings with a three storey residential flat development. The building is a mix of style types which takes into account the land levels of the site and the staggered road levels and neighbouring roof pitches.
- 3.2.2 The proposed residential development is for 23 flats, with associated parking and landscaping. The scheme is to provide for 100% affordable housing.
- 3.2.3 The design of the flats has been amended since the initial submission to reduce the height of part of the building when viewed from Pensby Road. The alterations to the roof design allow for a visually stepped building which reflects the land rise and whilst the bulk of the building is larger, the height of the front section reflects the height of the pitched roof of the original church building.

3.3 Development Plan

3.3.1 HS4 Criteria for New Housing Development Policy

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 fulfilling all the following criteria:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- (iv) 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;
- (v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- (vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- (vii) the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, 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.

HS6 Principles for Affordable Housing Policy

The Local Planning Authority will seek to negotiate the provision of an element of affordable housing on suitable sites of over 1.0 hectare:

- (i) for the purpose of Policy HS6, affordable housing is defined as being that available to those whose incomes are insufficient for them to enter the local housing market;
- (ii) the affordable dwellings so developed shall be provided through partnership arrangements between the developer and a Housing Association or other suitable housing trust, or by the construction of low-cost units for sale or part-sale, part-rent;
- (iii) depending on the suitability of the site and the local need, dwellings should be provided for one or more of the following groups:
 - young single people;
 - the elderly;
 - young couples and newly forming households;

- those with special needs, including disability, mental illness and mental handicap.

The dwellings so provided shall be retained for the benefit of the original client group by a secure agreement.

3.4 Other Material Planning Considerations

3.4.1 Supplementary Planning Document 2

All development for self-contained flats should be in locations that are close to services and facilities and that are genuinely accessible by a choice of means of transport.

High density development should be located in areas where residents have the choice of walking to a range of local services such as shops, schools, employment areas, health, leisure and entertainment facilities. This could be achieved by choosing sites that are close to Key Town Centres and Traditional Suburban Centres or above ground floor level in suitable commercial premises within existing centres as listed in UDP Policies SH1 and SH2

All sites for self-contained flats must also be accessible by good transport links to and from main employment areas, schools, shops, health, and leisure and entertainment facilities. Walking and cycling are the most sustainable forms of transport but proximity to main bus routes and railway stations is important if public transport is to be a viable option to the motor car for longer journeys.

Public transport will only be considered as a feasible alternative if there is a regular service to a range of destinations. Sites for self-contained flats should, therefore, also be within 400 metres safe and convenient walking distance of a bus stop with a regular service with a frequency of 20 minutes or within 400 metres of a railway station that provides a regular service.

A successful project should, therefore, be expected to:

- relate well to the geography and history of the place and the lie of the land;
- sit happily in the pattern of existing development and routes through and around it;
- respect important views (from public vantage points);
- respect the scale of neighbouring buildings;
- use materials and building methods, which are as high or of higher quality as those used in existing buildings; and
- create new views and juxtapositions, which add to the variety and texture of the setting.

Development should not result in a significant loss of privacy, daylight or sunlight for neighbouring properties, nor be visually overbearing or dominant when viewed from adjoining property.

Unless it can be demonstrated that privacy would not be unduly affected, 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 property, 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.

Adequate landscaped garden space should be provided for the exclusive use of residents. This should be accessible to each flat and have a size, shape and location to be useful to occupiers. As a general guide, developers should ensure that at least one third of the whole site remains available as private landscaped communal areas. Driveways, garages, parking, servicing bin and cycle stores will not be considered to be part of this amenity area.

The main entrance to the building should be located in the front elevation and provide access to individual flats from within the building whenever possible. If external staircases are proposed, the applicant must demonstrate that internal access is not feasible. Any external staircase should be sited to the rear, out of public view, designed to be an integral feature of the building and to prevent overlooking of neighbours' windows or private amenity space.

Surrounding buildings may have a standard pattern. This does not always prevent the introduction of taller or lower buildings, but it will require a design approach that softens any change in height to ensure that the resulting building is at a scale proportionate to the surrounding area. All new proposals will be required to either protect or improve the existing

roofscape.

The bulk of large buildings can be reduced through variations in the footprint, height and roof form of the building as well as the spacing in relation to neighbouring properties. For example, elevations and roofs with varied shapes can reduce the overall massing of a larger block of flats because the use of multiple components will not appear as big as a single large component. The design of large buildings as a single block is not likely to be acceptable.

3.5 Assessment

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

- Principle of development;
- Design;
- Highways;
- Ecology; and
- Amenity

3.6 Principle of Development:

3.6.1 The application site is within the designated Primarily Residential Area and as such the principle of development is considered acceptable.

3.7 Design:

3.7.1 The application has been amended in terms of design and scale following initial submission. The roof plan of the frontage element on Pensby Road has been redesigned as a flat roof so as to bring the height and bulk of the building down. The building is a three storey residential block of flats containing 23 units.

3.7.2 The elevated ground level of this side of Pensby Road results in a prominent site, the proposed replacement building now reflects the existing height of the church building although the overall bulk and size of the proposed building is larger. The rear section of the proposed building does not exceed the height of 62 Poll Hill Road.

3.7.3 It is noted that there is a variety of property type within the immediate area, there is not residential standard in terms of house or flat design. The mix of roof type of the proposed scheme allows for the building to accommodate the proposed residential units and follow the land level stepping as it rises to the west.

3.8 Highways:

3.8.1 There are no Highway Implications relating to this proposal.

3.9 Ecology:

3.9.1 The demolition of the building and the proposed works require mitigation conditions with regards to birds, bats and invasive species.

3.10 Amenity:

3.10.1 The building and layout has been designed in a way so that the outlook from proposed habitable rooms to neighbouring properties meets the Councils interface distances even with the differences in land levels. As such in line with the interface distances, the proposed development would not result in an unacceptable level of overlooking or loss of privacy.

3.10.2 The development provides 1 off road parking space per flat which meets the Councils maximum residential standards set out in Policy SH4. Both car parks are accessed via the side roads of Poll Hill Road and Radnor Avenue via amended existing access points.

3.10.3 The site provides shared amenity space to the front of the building, this area is currently planted and contains a staircase entrance off Pensby Road which will be retained and form part of external garden area. This area is less than the guidance of 1/3 of the site for amenity space however it is taken into account the proximity of the application site to Poll Hill (117m) to the west and Whitfield Common to the south east which is approximately 530m away (measured along the public highway).

3.10.4 Concerns and objections have been raised to overdevelopment, out of character and highway safety issues. In terms of the Councils current policies, the proposed scheme is considered to be accommodated to an acceptable level on this plot with suitable outlook, scale and off street parking.

3.10.5 The building will accommodate a larger area in terms of the overall mass of the building than

the existing structures on site however the scheme is considered to provide a residential development that is appropriate to the plot and the character of the area without resulting in an unacceptable level of harm to established residential amenity.

3.11 Other:

- 3.11.1 The proposal is for 100% affordable housing which complies with the Councils UDP Policy HS6 and adopted Affordable Housing provision of 20% in this location. This will be subject to a Section 106 Agreement for affordable housing.

Summary of Decision:

The development scheme is considered appropriate in this location having regard to appearance, scale and overall impact onto established amenity in accordance with the guidance set out in Wirral's UDP Policy HS4, HS6, SPD2 and the NPPF.

Recommended Decision: **Approve subject to a Section 106 Legal Agreement**

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 8 May 2019 & 17 June 2019 and listed as follows: 19033-116-A, 19033-103-B, 19033-114-B, 19033-115-C, 19033-117-A, 19033-110-A, 19033-111-A & D140.001 Rev A.

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

3. Before any construction of the building hereby approved commences, samples of the 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. The development hereby permitted shall not be occupied until details of bat and bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.

Reason; In the interest of protected species

5. No tree felling, scrub clearance, hedgerow removal and building works 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 buildings, trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason; Having regard to protected species.

6. Rhododendron is present within the site boundary. Rhododendron is listed on Schedule 9 of the Wildlife and Countryside Act. A method statement, prepared by a competent person, which includes the following information:

- A plan showing the extent of the plant;
- The method that will be used to prevent the plant/s spreading further, including demarcation;
- The method of control that will be used, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal.

The method statement should be submitted for approval to the Local Planning Authority prior

to commencement of any works on site.

Reason; Having regard to potential impact of invasive species

7. No residential development 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 5 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:

- Drainage Strategy Report (03/07/2019/ Ref: PRH-AJP-ZZ-XX-RP-C-3010 / Alan Johnston Partnership)
- Drainage Layout (July 2019/ Ref: PRH-AJP-XX-00-DR-C-1000/ Rev P1/ Alan Johnston Partnership)

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.

8. 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 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.

9. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to the hereby approved building, 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 that satisfactory gradients are achieved.

Further Notes for Committee:

1. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council's Highway Management team via www.wirral.gov.uk or 0151 606 2004 prior to the commencement of development for further information
2. Informative 1 - Maintenance of SuDS

The recommendation of the LLFA to accept a sustainable surface water drainage proposal, is always predicated on the fact that maintenance of the surface water drainage system is secured in perpetuity to manage flood risk for the lifetime of the development.

It is the advice of the LLFA that the maintenance arrangements capable of ensuring an acceptable standard of operation for the lifetime of the development, to satisfy paragraph 165 of the NPPF, are adoption by a statutory undertaker/public body or a s106 agreement with the developer to ensure maintenance/replacement of all communal components of the system as per the approved Operation and Maintenance Plan.

The LPA should be satisfied that maintenance of all communal components has been secured in perpetuity via an appropriate mechanism / agreement.

Last Comments By: 19/06/2019
Expiry Date: 07/08/2019