

**Planning Committee**

**12 September 2019**

**Reference:**  
**APP/17/01606**

**Area Team:**  
**North Team**

**Case Officer:**  
**Mr P Howson**

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

**Location:** Rock Station Hotel, HIGHFIELD ROAD, ROCK FERRY, CH42 2BU  
**Proposal:** Demolition of existing 3 storey public house and adjacent building and erection of part 3 storey, part 4 storey apartment block containing 25 self-contained flats and associated works.

**Applicant:** Elldon Developments Ltd.  
**Agent :** SHACK Architecture Ltd

**Qualifying Petition:** Yes, Number of Signatures: 25

**Site Plan:**



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**Development Plan designation:**

Primarily Residential Area  
Rail Corridor subject to Environmental Improvement

**Planning History:**

Location: Rock Station Hotel, Highfield Road, Rock Ferry. L42 2BU  
Application Type: Full Planning Permission  
Proposal: Alterations to elevations.  
Application No: APP/88/05599  
Decision Date: 16/05/1988  
Decision Type: Approve

Location: Family Circle Luncheon Club, Highfield Road, Rock Ferry. L42 2BU  
Application Type: Work for Council by Council  
Proposal: Erection of single storey extension at front.  
Application No: APP/91/06368  
Decision Date: 06/09/1991  
Decision Type: Approve

Location: Rock Station P.H., 1, Highfield Road, Rock Ferry. L42 2BU  
Application Type: Advertisement Consent  
Proposal: Erection of illuminated sign.  
Application No: ADV/93/06386  
Decision Date: 29/10/1993  
Decision Type: Approve

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

1.1 No Ward Councillor comments have been received.

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

Having regard to the Council's Guidance for Publicity on Planning Applications 79 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing there have been 14 letters of representation received objecting to the proposal and a qualifying petition. The objections can be summarised as follows:

1. Overdevelopment
2. Impact on the highway network
3. Lack of car parking
4. Overlooking

**2.2 CONSULTATIONS**

**Highways** - No objection subject to conditions

**United Utilities** - No objection

**Merseyside Environmental Advisory Service** - No objection subject to conditions

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

**Environmental Health** - No objection subject to conditions

**Merseytravel** - No comments received

**Housing Strategy** – The proposal should be subject to a 10% affordable housing contribution

**Network Rail** – Objection received citing a land ownership issue. The Borough Solicitor has advised that this a matter for the individual parties involved and does not impact on the consideration of the planning application.

### **3.1 Site and Surroundings**

3.1.1 The application property is a detached drinking establishment which occupies a prominent position towards the corner of Highfield Road and Bedford Road. The building is square in plan and set over three storeys and sits prominently within its immediate townscape. Bedford Road forms part of the Borough's strategic road network. Despite its designation as a Primarily Residential Area under the UDP Proposals Map this part of Bedford Road features a number of commercial units offering local conveniences. Highfield Road is a lower ranking route characterised by rigid rows of residential terraces.

### **3.2 Proposed Development**

3.2.1 This application proposes to demolish the existing drinking establishment and to erect a three and four storey residential apartment block which would contain 25 apartments.

### **3.3 Development Plan**

3.3.1 The Wirral Unitary Development Plan 2000

- HS4 Criteria for New Housing Development
- HS6 Principles for Affordable Housing
- GR5 Landscaping and New Development
- TR9 Requirements for Off Street Parking
- TR12 Requirements for Cycle Parking

Joint Waste Local Plan Policies WM8 & WM9

### **3.4 Other Material Planning Considerations**

3.4.1 Supplementary Planning Documents:

- SPD2 'Designing for Self Contained Flats Development & Conversions'
- SPD4 'Parking Standards'

3.4.2

The National Planning Policy Framework (2018)

- Achieving sustainable development
- Achieving well-designed places
- Meeting the challenge of climate change, flooding and coastal change

### **3.5 Assessment**

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

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

3.6 Principle of Development:

3.6.1 Unitary Development Plan (UDP) Policy HS4 allows for new residential development within Primarily Residential Areas subject to proposals fulfilling all its criteria. The application is therefore acceptable in principle subject to all other material planning considerations.

3.7 Design:

3.7.1 The criteria for new residential development are set out under Policy HS4 of the Wirral Unitary Development Plan 2000. Proposals should be of a scale with regard to existing densities and form of development and not result in detrimental change in the character of the area. Appropriate landscaping and boundary which relates the proposed development to its surroundings should be incorporated into development proposals.

3.7.2 The Supplementary Planning Document on Designing for Self-Contained Flat Development and Conversions states that applicants will be expected to show how good design and layout has been taken into account through drawings and design statements that show how the proposed development will fit in with surrounding properties and within the wider setting of the area. Poor design or development that fails to take the opportunities available for improving the character and quality of the area are unlikely to be approved.

3.7.3 Paragraph 127 of the revised National Planning Policy Framework (NPPF) states that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit with a high standard of amenity for existing and future users.

3.7.4 The proposed development has been revised to incorporate a mansard roof. This would help better define the building giving it a bottom and top and aid in breaking down its scale. The proposed building would extend up over four storeys along the Bedford Road frontage, however as this is a key strategic route a higher density is acceptable. The Highfield Road elevation would feature vertical bays sited at regular intervals which would echo the rhythm of the adjacent residential terraces.

3.8 Highways:

3.8.1 At the time of writing 14 letters of representation had been received objecting to the proposal. A qualifying petition had also been received. The majority of concerns relate to the lack of car parking provision.

3.8.2 The requirements for off-street vehicle and cycle parking are set out as maximums under Policies TR9 and TR12 of the UDP and the accompanying Supplementary Planning Document on Parking Standards.

3.8.3 Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Development should give priority first to pedestrian and cycle movement, address the needs of people with disabilities and reduced mobility, create safe, secure and attractive places whilst minimising the scope for conflict between different users and allowing for the efficient delivery of goods and emergency access.

3.8.4 The Highways Engineer has considered the application and notes that the proposal is within a sustainable location with access to a choice mode of transport. The application incorporates

cycle parking and has therefore raised no objection from the Engineer.

3.9 Ecology:

3.9.1 Adopted Policy NC7 of the UDP states that development which would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of species can be secured through the use of planning conditions and/or planning obligations.

3.9.2 Paragraph 165 of the National Planning Policy Framework (NPPF) requires major developments to incorporate sustainable drainage systems. Said systems should take account of advice from the Lead Local Flood Authority (LLFA).

3.9.3 The Local Planning Authority rely on MEAS to provide ecological advice on planning applications. MEAS have advised that the proposed development is within close proximity to a number of European designated sites and may therefore have direct in combination effects on such sites in the form of recreational pressure. MEAS have advised that sales packs informing prospective occupiers on the importance of such sites and how they can protect them would be acceptable mitigation to which the applicant has agreed. A condition has been imposed to this effect.

3.9.4 The LLFA have raised no objection to the proposal subject to conditions.

3.10 Amenity:

3.10.1 Policy HS4 requires new residential developments to provide adequate access and servicing arrangements. Adequate private garden space should be provided for each dwelling. Paragraph 127 of the revised National Planning Policy Framework states that planning decisions should create places that provide a high standard of amenity for existing and future users.

3.10.2 Habitable room windows would be orientated towards the rail line or Highfield Road and there would therefore be no overlooking as a result of the proposal. There are small private amenity areas integrated within the development and a condition has been imposed for an amenity screen to the first floor area and the application is acceptable in this respect.

3.11 Other:

3.11.1 The application proposes 25 dwellings and is therefore subject to an affordable housing target. As the proposed development site is within an area of greatest need the affordable housing contribution would 10% which would equate to 2.5 houses. The applicant has submitted a financial viability assessment which has been independently assessed. It is stated within the independent assessors report the development is unviable with an affordable housing contribution. Therefore a contribution is not sought in this instance.

3.11.2 Network Rail have raised an objection to the proposal citing a land ownership issue. It is stated that the proposed apartments will be built on Network Rail land and that the applicant will need agreement / clearance from Network Rail to proceed. The Borough Solicitor has advised that this a matter for the individual parties involved and does not impact on the consideration of the planning application.

**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 application is considered acceptable in principle. The proposed development would not have a significantly materially adverse impact upon the character and appearance of the area or the amenity of the surrounding properties and is considered to be in accordance with Policy HS4 of the Wirral UDP and the National Planning Policy Framework. The proposed development is within a sustainable location and a choice mode of transport and the Highways Engineer has raised no objection to the proposal and the application 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 21 June 2019 and listed as follows: B101 Rev. B, B102 Rev. B, B103 Rev. B, B104 Rev. B

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

3. Prior to any development above ground level approval of the following details shall be obtained from the local planning authority;

- i. Samples or details of all facing materials including all new windows and doors

The stated details shall be approved in writing and such approved details shall be implemented in the development hereby approved in full:

**Reason:** These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity.

4. Prior to first occupation approval of the following details shall be obtained from the local planning authority

- i. Details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development

The stated details shall be implemented in full prior to first occupation and thereafter be permanently retained and maintained.

**Reason:** These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity.

5. A scheme of landscape proposals including a timetable of works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the proposed development. The scheme shall include mitigation measures as advised by the Council's ecologist such as the integration of suitable hedgerow (hawthorn, holly, hazel, dog rose, elder blackthorn, birch, alder, ash, rowan, aspen, field maple and honeysuckle allowed to a height and spread of 2 metres) and tree (birch, alder, rowan, aspen, field maple being allowed to a

height of 5 metres) species alongside full plans and specifications for all hard and soft landscape works and indications of all existing trees and hedgerows on the land, including those to be retained.

All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interest of species protection and visual amenity and the character of the area and to ensure a satisfactory environment having regard to Policies NC7 and GR5 of the Wirral UDP

6. 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

7. A sales/information pack highlighting the location of, and promoting the use of, alternative greenspaces within the area 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

8. Before any approved phase of development commences, a Site Waste Management Plan, confirming how demolition and construction waste will be recovered in relation to this phase 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

9. No development shall take place until a full scheme of works for the reinstatement (to standard footway levels) of the existing vehicle accesses from the highway in Highfield Road that are rendered obsolete by the development and any other amendments to the existing highway made necessary by this development have 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

10. The cycle parking area shown on drawing No. B101 Rev. B shall be implemented in full prior to first occupation of the proposed development and be permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To provide for alternative modes of transport in accordance with Policy TR12 of the UDP



11. No development shall commence until detailed plans and particulars of the sustainable drainage system, in the form of a 'Confirmed/Final' Sustainable Drainage Strategy, for the management and disposal of surface water from the site has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The details of the 'Confirmed/Final' Sustainable Drainage Strategy must be based on the principles and details identified in Flood Risk Assessment/Drainage Strategy <21-03-18/BWR/1376/Shape Consulting Engineers>, be accompanied by a completed Sustainable Drainage Operation and Maintenance Plan and meet all requirements, including submission requirements, of Wirral Council's 'Sustainable Drainage Technical Guidance'

**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

12. Prior to occupation of any properties the applicant must submit 'as built' drainage design/layout drawings. The plans should be accompanied by an updated Operation and Maintenance Plan, if required.

**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

13. Prior to commencement, a Noise Survey in relation to the impact of rail and road traffic noise on the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, if such a survey identifies any dwellings as being in Noise Exposure Categories B or C then a scheme of noise insulation to the dwellings shall be agreed in writing by the Local Planning Authority.

**Reason:** To protect residential amenity, having regard to Policy HS4 of the Wirral UDP and Paragraphs 127, 170 and 180 of the National Planning Policy Framework.

14. NO DEVELOPMENT SHALL TAKE PLACE until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. If any contamination posing unacceptable risks is then found, a report specifying the measures to be taken to remediate the site to render it suitable for the approved use shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regards to Policy HS4 and Policy PO5 of the Wirral Unitary Development Plan

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 and additional measures for remediation shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regards to Policy HS4 and Policy PO5 of the Wirral Unitary Development Plan.



16. Prior to first occupation, details of a screen to be erected along the southern axis of the first floor amenity area as shown on drawing No. B102 Rev. B shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include its location, height and finished materials. The screening shall be completed before the amenity area is brought into use and shall be retained as such thereafter.

**Reason:** In the interests of residential amenity

**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 Highway Management team area manager via [www.wirral.gov.uk](http://www.wirral.gov.uk) prior to the commencement of the works for the approval of the proposed details.
2. A pre-site inspection is required prior to the development works commencing with the LA- any damage to the existing highway that occurs as a result of the development would require reinstatement, at the developers expense, to the LA specifications and written approval. For further details contact Highway Management, area manager via [www.wirral.gov.uk](http://www.wirral.gov.uk)
3. United Utilities have advised that the proposal is acceptable in principle.

The drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Flood Risk Assessment (Ref No. BW/R/1376, Dated 29/01/18) which was prepared by Shape Consulting Engineers. The development shall be completed in accordance with the approved details.

If the applicant wishes to discuss the above further they should email [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) and cite Ref. DC/18/816

**Last Comments By: 25/07/2019**

**Expiry Date: 07/05/2018**