

Planning Committee

10th November 2022

Reference:	Area Team:	Case Officer:	Ward:
APP/22/00562	DM	Mr P Howson	Liscard

Location:	Mariners Park Care Home, ROYDEN AVENUE, EGREMONT, CH44 0HN
Proposal:	The demolition of Mere Bank and Nautilus House and the erection of a 3/4 storey block comprising 27 two-bedroom supported living apartments for retired mariners with ancillary facilities, 210 sqm (net) office floorspace, and associated parking and landscaping on land off Richard Chubb Drive, Egremont
Applicant:	Mr Howarth
Agent :	Mr Armstrong Mosaic Town Planning

Qualifying Petition	
Summary of objections; <ul style="list-style-type: none">• Loss of trees• Loss of habitat• Loss of light and overshadowing• Air and noise pollution during construction phase• Overlooking• Proposed design is out of character• Risk of damage to surrounding property during the construction phase	No. of signatures 88

Site Plan:



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Development Plan designation:	Primarily Residential Area
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Planning History:	Location:	Vacant land at Royden Avenue, Cliff Drive &, Mariners Park, Egremont, Wirral
	Application Type:	Full Planning Permission
	Proposal:	Erection of a two storey carehome for 32 residents and a two storey building to accommodate 14 self-contained flats, together with car parking and hard and soft landscaping.
	Application No:	APP/99/07027
	Decision Date:	18/02/2000
	Decision Type:	Approve
	Location:	21 WEBSTER AVENUE, EGREMONT
	Application Type:	Full Planning Permission
	Proposal:	Demolition of 21, 21a, 23, 23a, 25, 25a, 27, 27a, 29, 29a, 31 & 31a Webster Avenue and 1 Richard Chubb Drive. Construction of a four storey building

	with 500m ² of community facilities serving all of the Mariners Park residents on the lower ground floor and 18, one and two bedroom flats over the other three storeys.
Application No:	APP/11/00887
Decision Date:	26/10/2011
Decision Type:	Approve

Summary Of Representations and Consultations Received:

1. Ward Member Comments	Councillor Daisy Kenny has advised that a petition had been submitted which (under the scheme of delegation) would result in the application being determined by Committee.
2. Summary of Representations	<p><u>REPRESENTATIONS</u></p> <p>Having regard to the Council's Guidance for Publicity on Planning Applications 168 notifications were sent to neighbouring properties. At the time of writing 26 letters of representation have been received in relation to the proposal all of which object to the proposal. Summary of objections:</p> <ol style="list-style-type: none"> a. Overdevelopment of the site; b. The building is out of scale; c. The building is out of character; d. Overlooking private gardens; e. Loss of privacy; f. Loss of light; g. Loss of view; h. Increase of traffic and associated noise and air pollution; i. Loss of trees; j. Loss of wildlife habitat; k. Lack of detail on geological impacts; and l. The proposal does not provide affordable housing as stated

	<p><u>CONSULTATIONS</u></p> <p>Highways Engineer – No objection subject to condition</p> <p>Environmental Health – no objection subject to condition</p> <p>Lead Local Flood Authority (LLFA) – no objection subject to condition</p> <p>The Environment Agency – no objection</p> <p>MEAS – no objection subject to condition</p> <p>Natural England – no objection</p> <p>Trees & Landscaping – no comment</p>
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	Regeneration & Environment – no objection
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3.1 Site and Surroundings	
3.1.1	The development site lies within Mariner's Park which is operated by Nautilus International. Mariner's Park is a retirement community for seafarers which sits along the banks of the River Mersey. The Park was established towards the end of the 19 th Century and initially comprised of a large building with central bell tower which faced the river (known as Cliff House) and a number of cottages. It is understood that the original mariner's home was demolished in the early 1980s and a large building which operates as care home now sits in its place. The care home is laid out in a 'T' shape and has a design typical for a building conceived in the late 1990s. Little remains of the cottages which formed part of the original park as these were replaced with mid-20 th Century bungalows. In recent years a number of cottages have been demolished to make way for a three storey flatted development (which sits towards the centre of the site) and has a modern 'art-deco' signature. John Fay House is the latest addition to Mariner's Park and saw the loss of a further three villas which appeared to be original to the park.
3.1.2	According to the Cheshire Tithe Maps, the development site (as defined by the submitted red edge) did not form part of Mariners Park until the mid-20 th Century. A large building known as 'Manor House' (since demolished) sat roughly where the bowling green sits today and 'Mere Bank' is shown on the Tithe Maps as early as 1898 and appears to have its own defined curtilage and was likely a private dwelling until it was acquired as part of the Park. Nautilus House is a mid-20 th Century building set over two storeys and finished in a buff brick. Much of the development site is open and grassed. A number of mature trees form the eastern boundary and filter views into the site from the promenade. Manor Lane slopes down west to east into the promenade and severs the development from the dwellings which make up Caithness Drive.

3.2 Proposed Development	
3.2.1	The application seeks approval for the demolition of two buildings (Mere Bank and Nautilus House) and the erection of a three to four storey mixed use development which would comprise of twenty seven two bedroom supported living apartments and 210sqm of office space. Associated hard and soft landscaping works are also proposed under this submission.

3.3 Development Plan	
3.3.1	The Wirral Unitary Development Plan 2000 <ul style="list-style-type: none"> a. HS4 Criteria for New Housing Development b. HS15 Non-Residential Uses in Primarily Residential Areas c. GR5 Landscaping and New Development d. GR7 Trees and New Development e. TR9 Requirements for off Street Parking
3.3.2	The Joint Waste Local Plan for Merseyside and Halton <ul style="list-style-type: none"> a. WM8 Waste Prevention and Resource Management

	<ul style="list-style-type: none"> b. WM9 Sustainable Waste Management Design and Layout for New Development
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3.4 Other Material Planning Considerations	
3.4.1	<p>The National Planning Policy Framework (2021)</p> <ul style="list-style-type: none"> a) Achieving sustainable development b) Decision making c) Achieving well-designed places
3.4.2	<p>Supplementary Planning Guidance 4: Parking Standards</p> <p>Supplementary Planning Document (SPD) for Designing for Self-Contained Flat Development and Conversions</p>
3.4.3	<p>Tree, Hedgerow and Woodland Strategy 2020-2030</p> <p>This Strategy is a material consideration. It provides amongst other matters that planning applications will need to demonstrate that there will be enough room for the future growth of new and retained trees to ensure long term retention and avoid pressure from future occupiers to top, lop, or fell healthy trees due to safety concerns or effects on living conditions in order to obtain reasonable sunlight and unshaded external amenity space. Planning applications will need to provide sufficient information to enable proper consideration of trees on and around the development site with tree survey and planting scheme with appropriate root protection zones undertaken to the latest British Standard. The selection of new species to be planted will use the “right tree for right place” approach.</p>
3.4.4	<p>The National Design Guide (2021)</p> <p>The Design Guide advises that a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings (Paragraph 21 refers). It comes about through making the right choices at all levels, including:</p> <ul style="list-style-type: none"> a. the layout (or masterplan); b. the form and scale of buildings; c. their appearance; d. landscape; e. materials; and f. their detailing <p>Part 2 of the Design Guide sets out the ten characteristics of well-designed places. This includes (but is not limited to) the following;</p> <ul style="list-style-type: none"> a. Contextual design which responds positively to the features of the site and the surrounding area beyond its boundary. Well-designed development is integrated into its surroundings and designed around an understanding of the landscape character and existing patterns of built form and architectural styles which should inform the layout, grain, form and scale of development. b. Design which responds to local identity and elements of a place that make it distinctive. This includes the height, scale, massing and relationships between buildings, façade design and landscape setting.

	c. Built form which relates well to the site and its context
3.4.5	<p>The Emerging Local Plan</p> <p>The Proposed Submission Draft Local Plan was approved by the Council for publication and submission to the Secretary of State on 21 March 2022 and published for representations on legal compliance and soundness from 9 May 2022 until 25 July 2022, in accordance with the approved Local Development Scheme. The Council considers the emerging Plan to be sound.</p> <p>On 26 October 2022 the Council formally submitted the Wirral Local Plan 2021-2037 and its supporting documentation to the Secretary of State for Levelling UP, Housing and Communities for Independent Examination.</p> <p>In attaching weight to emerging plans such as Wirral's paragraph 48 of the NPPF is relevant as it states:</p> <p>"Local planning authorities may give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> • the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); • the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and • the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)." <p>The development site and the surrounding land to the north, west and south would retain its designation as a Primarily Residential Area under the Wirral Local Plan and would be subject to Policy WS 3.1. The site would also be subject to Policy WS 3.2 which guides housing densities and advises a minimum density of 40 dwellings per hectare in this location.</p> <p>As the Wirral Local Plan is at an early stage it is a Material Consideration and can be afforded limited weight in the decision making process.</p>

3.5 Assessment	The main issues relating to this application are the impact of the proposal upon the character of the area, the amenity of surrounding occupiers and the impact upon the highway network and ecology.
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3.6 Principle of Development	
3.6.1	The development proposal involves the demolition of two buildings (Mere Bank and Nautilus House) and the erection of a three to four storey mixed use development which would comprise of twenty seven two bedroom supported living apartments and 210sqm of office space. Associated hard and soft landscaping works are also proposed.
3.6.2	The statutory plan for Wirral consists of the Unitary Development Plan (UDP saved by way of Direction of the Secretary of State on 18th September 2007) and the Merseyside and Halton Joint Waste Local Plan 2013. Under the current UDP the

	proposed development site is designated as a Primarily Residential Area. UDP Policy HS4 allows for new residential development within the Primarily Residential Areas subject to proposals fulfilling a number of criteria. As the proposal incorporates a degree of office space UDP Policy HS15 applies. Policy HS15 advises that non-residential uses will only be permitted subject to an assessment of the scale of the proposal, its impact upon local character and potential amenity implications.
	The development site and the surrounding land to the north, west and south would retain its designation as a Primarily Residential Area under the emerging Wirral Local Plan and would be subject to Policy WS 3.1. The site would also be subject to Policy WS 3.2 which guides housing densities and advises a minimum density of 40 dwellings per hectare in this location. The proposal is considered acceptable in principle subject to all other material planning considerations.

3.7 Design	
3.7.1	The standards for new housing development are set out under UDP Policy HS4 which includes visual implications. Development proposals should be of a scale that relates well to surrounding property with regard to existing densities and form of development. Proposals should not result in detrimental change in the character of the area.
3.7.2	Policy HS4 requires development proposals to consider other, practical matters such as servicing, access and parking. These matters cannot be considered in isolation as excessive areas of hardstanding and/or poorly located cycle and bin stores can detract from the quality of development and character of the area. Landscaping and boundary treatments should relate proposals to their surrounds. UDP Policy GR5 requires development proposals to be supported by landscaping proposals.
3.7.3	As the proposal involves the erection of a flatted development the Supplementary Planning Document (SPD) for Designing for Self-Contained Flat Development and Conversions applies.
3.7.4	The SPD advises 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.
3.7.5	Section 12 of the National Planning Policy Framework (NPPF) sets out the Government's planning policies for England in relation to achieving well-designed places.
3.7.6	Paragraph 130 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.
3.7.7	Paragraph 134 of the Framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
3.7.8	The application seeks approval to demolish Nautilus House (within the western segment of the development site) and Mere Bank (north-east corner of the development site). Both of these buildings form part of Mariner's Park. A three to four storey mixed use development which would comprise of twenty seven, two

	bedroom supported living apartments and 210sqm of office space is proposed to be erected within the site.
3.7.9	Mariner's Park is a retirement community for seafarers which was established towards the end of the 19 th Century. There are few unobstructed views into the Park from public vantage points.
3.7.10	From Seabank Road, trees and shrubs filter views into the site. As Seabank Road sits at an elevated position relative to the Park, only the rooftops and chimneys of a number of the dwellings which form the western edge of the Park are generally visible above this vegetation. Vegetation also extends around into Maddock Road (which slopes down from Seabank Road into the promenade) but this is interrupted by the original vehicular access into the Park (at the junction with Seabank Road) and the current vehicular and pedestrian access into the Park. Views of recently constructed John Fay House, care home and adjacent flatted development can be sought from these vantage points, however, due to the topography of the area, views into the Park are limited. When viewed from the promenade, the buildings which make up Mariner's Park are elevated behind a retaining wall and landscaped slope with trees and shrubberies which again filter views into the site. Mere Bank is available to the observer when on foot as you move towards the bottom of Manor Lane.
3.7.11	Finally, Manor Lane forms the north/north-western boundary of the site and appears to be a remnant of the original field boundary before the land was developed (according to the Tithes Maps). Manor Lane is a narrow, intimate road in which its primary function appears to be to provide access to the garages and ancillary buildings associated with the dwellings along Warwick Drive and Caithness Drive. Visibility into the development is again restricted due to a retaining wall topped with shrubberies.
3.7.12	Given the character analysis above, it is evident that Mariner's Park has a unique relationship with the local townscape. Glimpses into the site can be sought and it is clearly visually available to the casual observer. However, the boundary treatments and topography of the area give it a distinctive 'remoteness' which is at odds with the rigid rows of dwellings (Caithness Drive, Warwick Drive and to a lesser extent Blenheim Road) which generally characterise the immediate surrounds.
3.7.13	The proposal involves the demolition of Nautilus House which effectively sits at the bottom of Warwick Drive behind Manor Lane. Whilst there is no defined footway along Manor Lane, there is a pedestrian access into Nautilus House forward of the building. Nautilus House has an unremarkable design and is finished in a buff facing brick. Whilst this brick does reflect the materials used elsewhere within Mariner's Park, it does appear to be a poor relation to the attractive red brick dwellings which line Warwick Drive and its loss would make a positive contribution to the area.
3.7.14	Mere Bank appears to have been constructed at a similar time to the dwellings which line the likes of Caithness Drive, Warwick Drive and Lincoln Drive. It is likely that Egremont established itself as a suburb for a growing (and increasingly affluent) professional class who could easily commute into Liverpool via the nearby ferry. The building is unlisted and does not lie within or affect the setting of a conservation area. The loss of Mere Bank, and the subsequent redevelopment of this part of Mariner's Park, would generally be consistent with how the Park has developed over the last 60/70 years i.e. buildings have been cleared and redeveloped to meet the changing needs of an organisation that offers a service to former mariners.
3.7.15	In terms of the proposed building, the form would be similar to the other, flatted development recently erected towards the centre of the Park known as 'the Hub'. Whilst the proposed building would also be oriented so as to maximise views out

	towards the River Mersey, its architectural language would be a departure from the thinly veiled 'art-deco' signature seen on 'the Hub' as it would have a modern, ordered façade which has a vertical emphasis.
3.7.16	According to the submitted drawings (Proposed Site Layout drawing No. 5563_1201 Rev. B), the proposed building would be set back behind the promenade by at least 31 metres (taken from the centre of the building (approximately)). The application is also supported by elevational drawings which demonstrate how the development proposal would sit within the landscape. The proposed building would sit back from the promenade behind a landscaped verge with a number of mature trees which would filter views into the site as per the existing arrangement. Views into the site and of the proposed development would be limited from Manor Lane would be limited by virtue of the topography of the area. Thus, despite the building's scale, its impact upon the character and appearance of the area would not be negative, rather, it would have a similar relationship with public viewpoints and space as the existing arrangement – being visually available whilst also being physically severed to the casual observer.
3.7.17	Finally, it is accepted that the occupiers of the dwellings towards the bottom of Caithness Drive would have views of the building from their upper floor windows. However, the above assessment has concerned itself with assessing the use of the land in terms of the wider public interest. Loss of view is not a material planning consideration and therefore not a reason for refusal.
3.7.18	The development proposal would be contained within Mariner's Park which is a private community which has a long history of redevelopment to suit its needs. As such the proposal would not have negative impact upon the character of the area in accordance with UDP Policy HS4, the SPD for flatted developments and Policy WS 7.1 of the emerging Local Plan.

3.8 Highways	
3.8.1	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. Policy WS 7.4 of the emerging Local Plan advises that in areas with alternative modes of transport parking standards can be below standards.
3.8.2	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.
3.8.3	The development proposal is supported by a Transport Plan which includes a Travel Plan which has been considered by the Highways Engineers.
3.8.4	The Council's Engineer advises that they have no objection to the proposal. The level of car parking (total 23 No. spaces including 2 No. mobility spaces) would provide 13 No. spaces for residents and visitors and 7 No. for office staff. 10. No cycle spaces are also proposed. This is considered adequate and in accordance with the adopted guidance which are set out as maximums. The Engineer also advises that the development site is in a location within reasonable distance of sustainable, public modes of transport.
3.8.5	The Engineer has also considered the potential number of vehicle movements and advise that there are no concerns around highway capacity or safety. Subject to conditions there are no objections from the Engineer.

3.8.6	As stated above the Council's adopted parking standards are set out as maximums and the proposed level would thus comply with UDP Policies TR9 and TR12 and Policy WS 7.4 of the emerging Local Plan.
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3.9 Ecology	
3.9.1	The Local Planning Authority rely on Merseyside Environmental Advisory Service (MEAS) to provide advice and guidance on ecological matters. The protection of species is enshrined in UDP Policy NC7.
3.9.2	The development proposal is supported by a Preliminary Ecological Appraisal. MEAS advise that the report is acceptable. However, MEAS did advise that further bat surveys would be required prior to determination. An emergence survey was subsequently submitted by the applicant and considered by MEAS who raised no objection subject to a condition requiring approval of a lighting scheme to avoid potential light overspill onto habitat.
3.9.3	The applicant submitted a Biodiversity Net Gain Design Stage Assessment report which has also been considered by MEAS.
3.9.4	The report shows proposed soft landscaping will lead to a 75% (1.3 units) net gain in area habitats and 69% (0.36 units) net gain in linear habitats. The Biodiversity and Ecological Management Plan also recommends bird nesting and bat boxes, as well as suggested locations and timing of installation, prior to occupation. There are no objections to the conclusion of the report subject to recommendations being secured via condition.
3.9.5	MEAS has carried out a Habitats Regulations Assessment (HRA) to assess likely effects on designated international sites. The Assessment concluded that, provided the measures outlined in the Construction Environment Management Plan are secured via condition, and a leaflet is made available to prospective occupiers advising them of the location of protected sites and alternative recreational areas, there would be no objection. MEAS advised that Natural England is consulted on the HRA who subsequently raised no objection to the proposal.
3.9.6	Finally, allowing the development proposal would necessitate the removal of 8 individual trees and 1 group of trees/shrubs. These trees are identified within the submitted Method Statement as; 3 No. Cherry, 1 No. Lime, 1 No. Alder, 1 No. Variegated poplar, 1 No. Silver Birch, 1 No. Horse chestnut and 1 No. group of shrubs. The specimens are considered to be of low to moderate quality and sit well within the development site and are currently only visible from Manor Lane and thus have a low visual amenity value. The trees which front out towards the promenade will be unaffected by the proposal.
3.9.7	The Council's adopted Tree, Hedgerow and Woodland Strategy advises that where development affects trees this should be fully justified through a specific arboricultural survey and replacement planting with equivalent or more species is required. The application proposes; 2 No. silver birch, 1 No. cherry and 1 No. bird cherry. However, the tree strategy would require the planting of in the region of thirty new trees. As the development sits within a larger site, there is space overall to plant sufficient replacement trees. As such, a condition is attached which requires details of tree planting to replace the trees to be removed, which accords with the Tree Strategy.
3.9.8	The proposal has been considered by MEAS and assessed against UDP Policy NC7 and the Council's adopted Tree, Hedgerow and Woodland Strategy and Policy WD 3 of the emerging Local Plan and subject to conditions is acceptable.

3.10 Amenity	
3.10.1	UDP Policy HS4 requires new residential development to provide adequate individual private or communal garden space to each dwelling. Adequate distances should also be made between habitable rooms in separate dwellings.
3.10.2	The Supplementary Planning Document provides a number of criteria for flat developments in order to ensure adequate levels of amenity for neighbouring uses and prospective occupiers. Proposals should not result in a significant loss of privacy, daylight or sunlight for neighbouring properties, nor should they be visually overbearing or dominant when viewed from adjoining property. Habitable room windows facing each other should be at least 21 metres apart. Main habitable room windows should be 14 metres from any blank gable. If there are differences in land levels or where development adjoins that of a different ridge height a greater separation should be provided.
3.10.3	Proposals for new flat development should be in sustainable locations and accessible by a choice means of transport. High density developments should be within walking range of local services.
3.10.4	The application is supported by a Proposed Site Layout (drawing No. 5563_1201 Rev. B). According to this drawing, the development proposal would be constructed between 6.2 metres (measured at its closest point) and 7.2 metres (measured at its furthest point) behind the boundary with Manor Lane. The supporting drawing also includes numerical distances to the dwellings which would directly face the development proposal (Nos. 42 & 40 Caithness Drive) of at least 33 metres. Upon site inspection it was observed that two mature trees form part of the boundary treatment appearing to sit in the rear gardens of Nos. 38 & 42 Caithness Drive. These trees are shown on the Proposed Site Layout (drawing No. 5563_1201 Rev. B).
3.10.5	It is acknowledged that the occupiers of Nos. 38, 40 & 42 Caithness Drive would have visible views of the proposed building, however, given the proposal would exceed the interface distances referred to in paragraph 3.10.2 above, and the fact that the existing trees already provide a degree of enclosure to these dwellings there would be no significant adverse impact in terms of the building appearing overbearing or overshadowing their private rear gardens. There are also no habitable room windows orientated towards these dwellings and the proposal is acceptable on this basis.
3.10.6	The proposed development incorporates four first and second floor balconies across its rear elevation. According to the submitted floor plans (drawing No. 5563_1203 Rev. B), the balconies would be set in at least 7 metres from the north/north-western end of the building which sits back from Manor Lane approximately 6.2 metres (measured at its closest point) and 7.2 metres (measured at its furthest point) behind the boundary with Manor Lane (referred to in paragraph 3.10.4 above). The proposed balconies would not directly face the dwellings along Caithness Drive and would be approximately 42 metres from the rear of No. 34 Caithness Drive and approximately 24 metres from its rear boundary which features an intervening single storey garage. The proposal is considered an adequate distance between the dwellings along Caithness Drive so as to not result in significant overlooking and loss of privacy to warrant refusal on this basis.
3.10.7	The Environmental Health Officer has considered the development proposal and raised no objection. It is acknowledged that concerns have been raised around noise and air pollution as a result on the development proposal, however, the development site does not lie within an air quality management area which would trigger the need for an air quality assessment. Whilst 23 car parking spaces are proposed, there is already ample car parking around Nautilus House and noise and disturbance levels (engines firing up etc) are unlikely to be significantly worse than the existing arrangement.

3.10.8	In accordance with UDP Policy HS4, the SPD for flatted developments and Policy WS 7.2 of the emerging Local Plan, the proposal would exceed the interface distances prescribed and would provide adequate amenity space for prospective occupiers. In this respect the proposal is acceptable.
3.10.9	Finally, the proposed apartments would be a minimum of 61 sqm and a maximum of 69 sqm. The nationally prescribed space standards advises that single storey dwellings with 2No. bedrooms with 3No. bed spaces shall be a minimum of 61 sqm. The submitted drawings (No. 5563_1206) indicate that the apartments would feature one double bedroom and one single bedroom which would meet the nationally prescribed space standards. The Planning Statement also advises that the proposed apartments would be for retirees over 55 years of age but typically 75 years of age and are thus unlikely to be occupied by more than two people.

3.11 Affordable Housing	
3.11.1	The proposal comprises 27 residential units and this would usually trigger the need for an element of affordable housing provision. However, the proposed development would be allocated for affordable rent with a registered charity which provides housing for a very specific section of the community followings a needs-based assessment. The Housing Strategy Team have raised no objection to this approach advising that there is need for older person housing across the Borough and there is a need for an improved housing offer in this location. A condition has been imposed requiring the development to be occupied in accordance with the details in the submitted Planning Statement.

3.12 Other Matters	
3.12.1	Concerns have been raised about potential damage to surrounding property during the construction phase especially when foundations are dug. Structural issues are not material planning considerations and are controlled under planning legislation alongside other matters such as dust generation and hours of construction work.

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 development proposal for the demolition of Nautilus House and Mere Bank and the erection of mixed-use development comprising of twenty-seven two bedroom supported living apartments and 210sqm of office space is acceptable in principle. The proposal would not have a detrimental impact upon the character or appearance of the area or the amenity of surrounding occupiers. The Highways Engineer and Environmental Health Officer have raised no objection to the proposal. Whilst the proposal would lead to the loss of a number of trees, subject to conditions there would be net gains in biodiversity. The proposal would comply with UDP Policies HS4, HS15, GR5, GR7, TR9, the National Planning Policy Framework and Policies WS 7.1, WS 7.2, WS 7.4, WD 3, WS 3.1, WS 3.2 of the draft Local Plan and is recommended for approval.

**Recommended
Decision:**

Conditional Approval

Recommended Conditions and Reasons:

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority and listed as follows: 5563_110 Rev. A, 5563_1150 Rev. A, 5563_1200 Rev. B, 5563_1201 Rev. B, 5563_1202 Rev. B, 5563_1203 Rev. B, 5563_1204 Rev. B, 5563_1205 Rev. B, 5563_1206 Rev. B, 5563_1300 Rev. B, 5563_1350 Rev. B, 5563_1400 Rev. B, Arbtech TPP 01, Arbtech AIA 01 Rev. A, UG_1423_LAN_GA_DRW_01 Rev. P03, UG_1423_LAN_HL_DRW_02 P02, UG_1423_LAN_SL_DRW_03 Rev. P02, UG_1423_LAN_LSN_DRW_04 Rev. P01

Biodiversity Net Gain Design Stage Assessment

Construction Environment Management Plan: Biodiversity – Draft

HRA Screening Report

Preliminary Ecological Appraisal

Biodiversity Enhancement Management Plan

Arboricultural Survey

Arboricultural Method Statement Rev A

Transport Statement

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

3. No above ground development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area

4. The landscaping and planting shall be carried out in accordance with drawing Nos. UG_1423_LAN_GA_DRW_01 Rev. P03, UG_1423_LAN_HL_DRW_02 Rev. P02, UG_1423_LAN_SL_DRW_03 Rev P02, UG_1423_LAN_LSN_DRW_04 Rev. P01 and shall be completed within six months of completing the development

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

Reason: To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area

5. The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number PAL-ZZ-00-DR-A-1201 Rev B. The parking and servicing areas shall be retained as such thereafter.

Reason: To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance.

6. Details of secure covered cycle parking and/or storage facilities shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to occupation of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

7. The pollution control measures detailed in the Construction Environment Management Plan: Biodiversity – Draft shall be implemented in full for the entirety of the demolition and construction phase of development.

Reason: To protect European Sites from pollution during the demolition and construction phases of development

8. 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 Wirral Unitary Development Plan

9. No tree felling, scrub clearance, hedgerow removal or 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 trees, scrub, hedgerows and vegetation 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: To protect birds during their breeding season

10. The following Reasonable Avoidance Measures (RAMs) shall be undertaken during the construction phase:

1. Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians/mammals to move away from the affected areas;
2. The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent mammals/amphibians from seeking shelter or protection within them; and
3. Any open excavations (e.g. foundations / footings / service trenches etc) should have a means of escape
4. Exposed open pipe systems should be capped to prevent mammals/amphibians from gaining access

Reason: To protect amphibians/mammals during construction and to comply with Policy NC7 (Species Protection) in the Wirral Unitary Development Plan

11. Prior to first occupation of the development hereby approved, a "lighting design strategy for biodiversity" for the developed area shall be submitted to and approved in writing by the local planning authority. The strategy shall: a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

Reason: To protect important wildlife species having regards to NC7 in Wirral Unitary Development Plan

12. A homeowner sales/information pack which highlights the location of, and promotes the use of, alternative recreational spaces within the area and explains 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. No development or demolition shall take place until the applicant or their agents, has secured the implementation and submission of a report on a programme of archaeological works. That programme of archaeological works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority prior to works taking place. The WSI must include the following five steps:

- A phased programme and methodology of site investigation and recording;

- A programme for post-investigation reporting to include production of a final report of the significance of the below-ground archaeological interest;
- Provision for appropriate publication and dissemination of the archaeology and history of the site;
- Provision for archive deposition of the report, finds and records of the site investigation; and
- Nomination of a competent person or persons / organisation to undertake the works set out within the approved WSI

Reason: : In order to preserve the special architectural or historic interest of the site and to accord with Policy CH25 of the Wirral Unitary Development Plan .

14. No development shall commence until the final detailed sustainable drainage design (that satisfies the terms of condition below) for the management and disposal of surface water from the site based on the principles and details identified in the following submissions has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- Drainage Strategy Report, Mariners Park, Wallasey, Wirral / Varsion 01 / dated 15 September 2022 / ref: 221-071 / by The Alan Johnston Partnership
- MAR-AJP-ZZ-00-DR-C-1000 rev P01 dated 14 September 2022 – Outline Drainage Layout

Terms of Condition 14

Final Detailed Sustainable Drainage Design to comply with DEFRA's technical standards for sustainable drainage systems and the SuDS Manual and include:

- Justification of final design
- An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365.
- Drawings to include:
 - Final layout of roads, buildings, finished floor levels, external levels and boundaries
 - Final layout of sewers; outfalls; SuDS; flow control details (must match flow control in calculations) hatched above ground storage areas with depths indicated
 - Overland flow paths designed for exceedance of the 1 in 100 plus climate change event, system blockages, etc. An impermeability of 100% for the whole site area (including soft landscaped areas) should be used in all cases when determining exceedance flows
 - 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:
 - System performance for following return periods; 1, 30, 100 plus appropriate climate change allowance
 - Demonstration of sufficient storage for the 1 in 100 year (plus climate change) critical rainfall event with a limiting discharge rate as stated in the above referenced drainage strategy
 - Design criteria summary, Full network details table, pipe and manhole schedules, contributing area summary, control/storage structure details, results summary print outs

- Flow control device design calculations demonstrating compliance with limiting discharge rate as stated in the above referenced drainage strategy at the correct design head
- Volumetric runoff co-efficient (Cv) should be set to '1'
- Urban creep allowance of 10% should be applied in the design criteria
- Appropriate climate change allowance to be used, as per new guidance on climate change allowances

Timetable demonstrating completed SuDS construction prior to occupation

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 167 and 169 of the National Planning Policy Framework.

15. 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 and that maintenance arrangements are in place to ensure an acceptable standard of operation for the lifetime of the development in accordance with Paragraphs 167 and 169 of the National Planning Policy Framework

16. The development hereby approved shall be occupied in accordance with details within the Planning Statement unless otherwise agreed in writing with the Local Planning Authority. For the avoidance of doubt 27 units shall be reserved for occupiers over 55 years of age.

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

17. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Strategy Report - Dated 15.09.2022 which was prepared by AJP. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

18. Before the construction of development above ground level, details of proposed new tree planting in line with the Council's adopted Tree, Hedgerow and Woodland Strategy shall be submitted to and agreed in writing with the Local Planning Authority. The replacement trees must be planted in the first planting season after completion of the development. 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.

Reason: In the interests of visual amenity and in accordance with the Tree, Hedgerow and Woodland Strategy 2020-2030

19. The office shown on drawing No. 5563_1205 Rev. B shall be used for Class E(g)(i) and for no other purpose, including any within Class E; of the Town and Country Planning (Use Classes) Order 1987 as amended September 2020 (or any equivalent class in any order that may replace it).

Reason: In order to protect the character of the area & residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

Informatives

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 developer's expense, to the LA specifications and written approval. For further details contact Highways & Infrastructure, area manager via www.wirral.gov.uk

Last Comments By:	
Expiry Date:	20-June-2022