

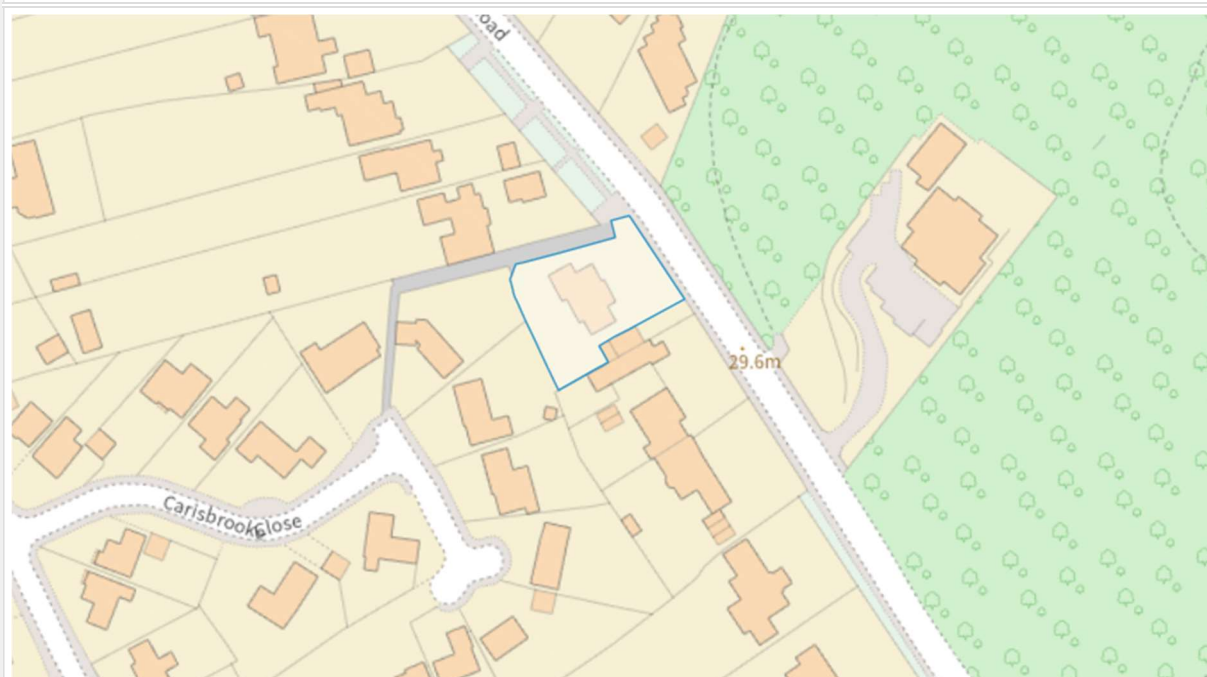
Planning Committee	6th June 2024
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Reference:	PS Development Code	Case Officer:	Ward:
APP/23/01915	Q13 - Minor Dwellings	Miss C Robinson	West Kirby and Thurstaston

Location:	52 Caldly Road, Caldly, Wirral, CH48 2HN
Proposal:	Change of use of dwelling to three self-contained flats (3 x 3 bed); construction of three storey extension to front, side and rear with terrace to ground floor rear and balconies to first and second floor rear; construction of chimney to side; installation of hard landscaping, cycle parking store and alterations
Applicant:	Mr Matthew Anderson
Agent:	Miss Natalie Male, Ainsley Gommon Architects

Reason for referral to Planning Committee	Councillor Jeff Green requested that the application be taken out of delegation
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Site Plan:



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1. Development Plan designation:	Primarily Residential Area
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2. Planning History:	APP/23/00543
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	<p>Change of use of dwelling to three self-contained flats (3 x 3 bed); construction of three storey extension to front, side and rear with terrace to ground floor rear and balconies to first and second floor rear; demolition of roof and construction of second floor extension with lift shaft; excavation to form lift shaft and altered basement access; construction of chimney to side; installation of hard landscaping, cycle parking store and alterations.</p> <p>Refuse 27-10-2023</p>
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3. Summary of Representations and Consultations Received:

<p>3.1 Ward Member Comments</p>	<p>Councillor Green considers that the proposal seems to be rather overbearing and to have a significant impact on the various neighbours' amenity which they currently enjoy. In its current form the application should be taken out of delegation and considered by the Planning Committee if the officer recommends approval.</p>
<p>3.2 Summary of Representations</p>	<p><u>REPRESENTATIONS</u></p> <p>Having regard to the Council Guidance on Publicity for Applications and the Statement of Community Involvement, 20 notification letters were sent to neighbouring properties on 18.01.2024. In response, 7 representations objecting to the application were received. Comments made within submitted representations are summarised below:</p> <ul style="list-style-type: none"> • Addition of balconies at the southern end of the building in an elevated position would result in substantial loss of privacy, direct overlooking, unacceptable noise and disturbance to the houses and rear gardens of the properties to the rear • The original proposal for the design submitted by the developer (APP/23/00543) was refused due to the position and type of three balconies sited at the Northern end of the building • Proposed site section A-A of the application incorporates a disingenuous photograph taken from an extreme distant aerial view at the Northern side front aspect of 52 Caldly Road • Detrimental impact of traffic • Aesthetic appearance is not in keeping with the area • The proposed building is in contravention of a number of planning regulations • T6 is impacted by the proposals, and its wellbeing should be addressed • The separation distances on site are contrary to SPD2 (Designing for Self-Contained Flat Development and Conversions) • The hedging cited as screening could be reduced from 5m to 2m by any future residents thus opening up issues of loss of amenity and privacy
<p>3.3</p>	<p><u>CONSULTATIONS</u></p>
<p>3.3.1</p>	<p><u>Environmental Health</u></p> <p>No objections.</p>

3.3.2	<p><u>Wirral and Cheshire Badger Group</u></p> <p>No objection; reasonable avoidance measures should be employed during the construction period to ward against harm to badgers.</p>
3.3.3	<p><u>Merseyside Environmental Advisory Service (MEAS)</u></p> <p>No objection; conditions are recommended to reinforce the critical aspects.</p>
3.3.4	<p><u>Highway Asset</u></p> <p>No objection; informatives recommended.</p>
3.3.5	<p><u>Traffic and Transportation</u></p> <p>No objection.</p> <ul style="list-style-type: none"> • The proposals are all contained within a private boundary and do not impact on the adopted highway. • The level of on-site car parking for the three apartments is considered appropriate and is in accordance with the SPD4 maximum standards and each unit has 2 off-street spaces. • The existing vehicle access from Caldly Road is unaffected by the proposals and is considered satisfactory to be used as a shared access and egress for vehicles between the three apartments. • A garden shed is provided for cycle storage and this is also considered satisfactory. • It's unlikely that the proposals for the apartments will generate a significant level of traffic on the network and are therefore considered to have no material impact on the highway, as such there are no objections to the proposals.
3.3.6	<p><u>Trees</u></p> <p>The revised proposal has moved the balconies from the Gable 2 elevation thus reducing future nuisance issues and conflict. The method statement details a specific reduction for T6. The ground protection is key and there should be Arboricultural supervision to ensure that it is implemented correctly.</p> <p>With regards the amenity provided by trees, there is no objection to this proposal. A suitably worded condition should be included to ensure The Arboricultural Method Statement submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, by a suitably qualified tree specialist.</p>

4. Site and Surroundings	
4.1	<p>The application relates to a two-storey house with converted loft space, located within a Primarily Residential Area. The house is Victorian having been originally built between 1871 and 1899 according to historic mapping images, with an original single storey outrigger to the northern side. There has been a single storey flat roofed garage extension to the northern side of the house since at least 2005. The original coach house at 54 Caldly Road and the original dwelling which now forms 56 and 58 Caldly Road to the southern side of the application site were built at a similar time and have also been subsequently extended.</p>

4.2	The houses to the north were built at some point between 1935 and 1991. The houses to the rear/west which used to form part of the rear garden of the original house were built by 1997. The B classified Caldly Road is located to the eastern/front of the site. The Caldly Hills site of local biological importance, area of special landscape value is located opposite the site to the east thereafter.
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5. Proposed Development	
5.1	This application seeks permission for change of use of the existing dwelling to three self-contained flats (3 x 3 bed). To facilitate this change of use, proposed also is the construction of three storey extension to front, side and rear; terrace to ground floor rear and balconies to first and second floor rear; construction of chimney to side; installation of hard landscaping, cycle parking store and alterations.
5.2	<p>The application is an amended scheme to APP/23/00543, which was refused for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposal by reason of the incongruous building design, the starkness of the northern side elevation, the three-storey side extension's close proximity to the trees to the north of the site and the creation of a hard surface heavy environment to the front of the house would harm the character and appearance of the surrounding area contrary to policies HS4, HS11, HS14 of Wirral's Unitary Development Plan, Supplementary Planning Document 2, Supplementary Planning Guidance 11 and National Planning Policy Framework (2021) paragraphs 130 and 134. 2. The proposal by reason of the significant reduction in the crown of tree T6, the reduction in the crown of the other unidentified tree in close proximity to tree T6 and the proximity of the proposed three-storey side/rear extension to the reduced crown of tree T6 and the other unidentified tree in close proximity to tree T6 would not preserve the semi-wooded character of the site and surrounding area, not provide for the protection of a tree of high amenity value, not ensure that the tree would have adequate space to prevent damage to its canopy and root structures during construction, not allow for the future growth of the canopy and tree to normal mature size, would lead to future pressure to remove the tree by occupiers of the development, would not protect trees on adjacent land and would be detrimental to the visual amenity of the surrounding area contrary to policies GR5, GR7, HS4, HS13 of Wirral's Unitary Development Plan, Policy WD1.2 of Wirral's emerging local plan and National Planning Policy Framework (2021) paragraphs 130, 131 and 134. 3. The proposal by reason of the siting of the balconies, terrace and rear windows and the size of the balconies and terrace would result in substantial loss of privacy and noise and disturbance to 50 Caldly Road, 11 Carisbrook Close and 15 Carisbrook Close and the proposal's design, siting and size would have a visually overbearing and dominant impact on 50 Caldly Road, 11 Carisbrook Close and 15 Carisbrook Close to the significant detriment of the amenity of these neighbouring occupiers contrary to Policies HS4, HS11 and HS13 of Wirral's Unitary Development Plan, Supplementary Planning Document 2 and National Planning Policy Framework (2021) paragraph 130.

	4. The proposed living conditions, by reason of the lack of satisfactory outlook to bedroom 3 of the proposed second floor as a result of a lack of a window (not a roof light) and by reason of the close proximity of vehicle parking spaces and the communal entrance to the windows of bedroom 3 of the ground floor flat resulting in noise, exhaust fumes and overlooking, would be unsatisfactory contrary to Policy HS13 of Wirral's Unitary Development Plan, Supplementary Planning Document 2 Designing for self-contained flat development and conversions and paragraph 130 of Wirral's Unitary Development Plan.
5.3	The changes contained within this application propose to address the above reasons for refusal and are set out in greater detail below.

6. Development Plan	
6.1	<p>Under the provisions of section 70(2) Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 and the provisions of the NPPF (paragraph 2) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.</p> <p>The statutory development plan at present consists of the Wirral Unitary Development Plan (UDP adopted February 2000 and saved by Direction of the Secretary State on 18 September 2007) and the Joint Waste Local Plan for Merseyside and Halton (adopted 18 July 2013).</p>
6.2	<p>The following Wirral Unitary Development Plan 2000 Policies are relevant to the determination of this planning application;</p> <ul style="list-style-type: none"> • HS4 Criteria for New Housing Development • HS11 House Extensions • HS13 Self Contained Flat Conversions • NC7 Species Protection • TR9 Requirements for Off-Street Parking • TR12 Requirements for Cycle Parking • GR5 Landscaping and New Development • GR7 Trees and New Development
6.3	<p>The Joint Waste Local Plan for Merseyside and Halton (adopted 18th July 2013) is also applicable. Relevant policies are:</p> <ul style="list-style-type: none"> • WM8 - Waste Prevention and Resource Management • WM9 - Sustainable Waste Management Design and Layout of New Development

7. Other Material Planning Considerations	
7.1	<p><u>The National Planning Policy Framework</u></p> <p>Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.</p>

The Emerging Local Plan

Wirral Borough Council has submitted the Wirral Local Plan 2021-2037 for examination.

On the 21 March 2022 full council approved publication of the Draft Local Plan Under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The plan was published in May 2022 and representations were available to be submitted until 25th July 2022. The Local Plan was submitted to the Secretary of State on the 26th October 2022. The local plan and supporting evidence base can be viewed online at www.wirral.gov.uk/lpexam

On 4th March 2024 the Council received the post-hearing note prepared by the Planning Inspectors appointed to carry out the examination into the Wirral Local Plan. The note sets out the Inspectors' view on certain matters and what should now be done. It should be read as the Inspectors' initial thinking and is without prejudice to any findings they may ultimately come to. The Inspectors' view is that the Plan, as submitted, is unsound. Their view is also that the Plan may be capable of being made sound via main modifications. For the purposes of decision making, the post-hearing note does not change the status of the emerging Local Plan. The Plan is at an advanced stage and weight may be given to relevant policies in the emerging plan in accordance with the requirements of paragraph 48 of the National Planning Policy Framework, as set out in the officer report.

In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:

"Local planning authorities may give weight to relevant policies in emerging plans according to:

1. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
2. 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
3. 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)."

The following emerging plan policies are relevant to the determination of this planning application:

Main policy:

Policy WD 6 Self Contained Flats

Other supporting policies:

Policy WD 1 Landscaping including Trees

Policy WS 7 Principles of Design, includes Privacy and Amenity and Parking

Policy WS 6 Placemaking for Wirral

	Policy WS 8 Strategy for Sustainable Construction
7.3	<p><u>Supplementary Planning Document 2 Designing for Self-Contained Flat Development and Conversions</u></p> <p><u>Supplementary Planning Document 4 Parking Standards</u></p> <p><u>Supplementary Planning Guidance 11 House Extensions</u></p>
7.4	<u>Tree, Hedgerow and Woodland Strategy 2020-2030 (hereafter referred to as The Tree Strategy)</u>

8. Assessment	
8.1.1	<p>The main issues pertinent in the assessment of the proposal are:</p> <ul style="list-style-type: none"> • Principle of Development; • Design and Visual Amenity; • Neighbouring Amenity; • Residential Quality; • Ecology; • Highways; • Trees

8.2 Principle of Development	
8.2.1	The principle of residential development within a Primarily Residential Area is considered acceptable, subject to policies listed above.

8.3 Design and Visual Amenity	
8.3.1	The earlier refusal (APP/23/00543) cited reasons of design; specifically the incongruous building design, the starkness of the northern side elevation, the three-storey side extension's close proximity to the trees to the north of the site and the creation of a hard surface heavy environment to the front of the house, all of which were considered to harm the character and appearance of the surrounding area.
8.3.2	In response to these design-based concerns, the overall scale and massing of the proposed extensions have been reduced. The flat roof design has been substituted for a 45-degree mansard roof structure which notably reduces the levels of bulk and mass at second floor level. The re-introduction of roof slope, particularly to the north elevation, is a design which better reflects the vernacular and character of the host dwelling and results in a design more in keeping with the surrounding area. The complex roof design ensures that an element of roof slope, or facing gable end associated with a slope, is always visible on each elevation and this results in a building which has sufficient design interest.
8.3.3	With particular regards to the starkness of the northern elevation of the previously refused proposals, there is a public footpath running along the northern boundary of the site from which this side elevation would be

	<p>prominently viewed from. The set-back siting of dwellings to the north of the site means this side elevation is revealed when travelling south on Caldly Road (though it is partly screened by trees). The addition of the roofslope helps to break up this elevation and reduces the scale of this elevation and effectively reduces the starkness of the elevation. In addition, this building will now be finished in brickwork with some window detailing and a contrasting render panel, which further breaks up the starkness and provides greater interest.</p>
8.3.4	<p>There would also be partial visibility of the site from Carisbrooke Close, which is set at a lower land level to the west of the site, more so in the darker months when the three deciduous trees to the rear boundary lose their leaves. Windows and gardens from surrounding two-storey houses in Carisbrooke Close would also have visibility of the rear elevation of the proposal. However, in comparison to the previous refusal, the rear elevation has been reconfigured. A more mixed material palette has been introduced which works to reduce the perceived bulk and massing of the structure and the re-designed roof profile also adds interest to this elevation. Combined with the overall reduction in bulk and massing, these design alterations are considered to resolve the previous concerns.</p>
8.3.5	<p>Concerns were also raised regarding an overall incongruous building design. A slight reduction in height has aided this and the scale is considered more proportionate to the existing host dwelling and wider streetscene. Architectural detailing and interest is retained, in terms of window surrounds and contrasting materials, and a focal central gable.</p>
8.3.6	<p>The street scene on the west side of Caldly Road to which the application relates consists of traditionally-designed houses. The original coach house at 54 Caldly Road and the original dwelling which now forms 56 and 58 Caldly Road to the southern side of the application site were built at a similar time to the application site, in the late 19th century, and have been subsequently extended with extensions that are in-keeping with the character of the original property. Although the proposed development of the application property results in a more contemporary appearance, the design approach is traditional in nature and respects the existing dwelling, with a large feature gable to the front retained, traditional materials of brick and render, and the introduction of stone window surrounds ensuring it will not appear as an overly-modern addition to the street scene.</p>
8.3.7	<p>SPD2 requires that hard surfacing for parking and servicing should cover no more than one third of the frontage where front gardens are a unifying feature of the street scene, unless it can be demonstrated that a landscaping scheme would satisfactorily mitigate any impact upon the character and appearance of the street scene. It's noted that much of the existing frontage is already made up of hard surfacing, and that several houses along the street scene also have large sections of hard surfacing to the front. Regardless, the extended hard surfacing created to the front of the building was raised as a concern with the previous refusal. In response to this, the revised scheme has introduced areas of soft landscaping directly in front of the building and retained a larger area of the existing grass in the south-eastern corner of the site. Considering the trees retained at the roadside frontage, the additional soft landscaping, plus the extent of hard surfacing within the wider streetscene this element of the proposal is now viewed acceptably.</p>
8.4 Neighbouring Amenity	
8.4.1	<p>Two detached dwellings are located to the western/rear of the site at 11 and 15 Carisbrook Close. The land rises from west to east such that the proposed</p>

	<p>building for the flats is located at a higher land level relative to these neighbouring houses. SPD2 advises that habitable room windows directly facing each other should be at least 21 metres apart and habitable room windows should be at least 14 metres from any blank gable. The SPD further notes that for every 1m of difference in ridge height (or part thereof) the specified separation distances should be increased by 2 metres. The earlier application did not achieve the necessary separation distances required when accounting for the differing levels between the site, and especially given that large terrace/balcony areas were proposed along the north-western corner of the building, which is the closest part of the building to the properties to the rear.</p>
8.4.2	<p>The proposals have been redesigned in order to remove these original rear-facing balconies. New, smaller balconies are now being proposed - however, these are recessed within the existing building envelope and located on the south-eastern part of the rear elevation; these balconies will project no closer to the neighbour than the existing rear elevation and will be screened to the side by the side wall of the building. The first floor balcony for example, serving the Master Suite of Apartment 2, will - in terms of overlooking - have a similar impact to the existing window in the existing property. The smaller size of this balcony should also limit issues of noise pollution and disturbance due to the small scale of the balcony generally only supporting a handful of chairs/congregating persons, as opposed to offering potential for larger scale outdoor recreation which the original balcony/terrace areas did.</p>
8.4.3	<p>The submitted site sections sets out an approximate 4.4m difference in height between the ridges of the host dwelling and no's 11 and 15 Carisbrook Close. In line with the aforementioned separation distances, an additional 8.8m is required; where the rear elevations of all these properties contain habitable fenestrations facing each other, a total separation of 29.8m is therefore required for any fenestrations directly facing each other. There is a slightly angled relationship between the neighbouring properties and the host dwelling; this lack of opportunity for direct overlooking can therefore be accounted for where distances are concerned. The most sensitive points i.e. where the host and neighbouring properties share the most "direct" relationship, would be the Master Suites and Lounge/Dining areas where these fenestrations are almost parallel to the properties on Carisbrooke Close. Here, a 29.8m separation distance is adequately achieved. The central portion of the host dwelling - containing the Bathrooms and Bedroom 2 for all apartments - does fall slightly short of the separation distance, measuring approximately 28.6m; however the direct line of sight of this bedroom window would be the gap in between the two neighbouring properties (11 and 15 Carisbrooke Close) as opposed to directly into any accommodation. Further - at ground and first floor level - these are existing windows which already offer a similar amenity relationship. In regard to the second-floor windows - which are proposed rather than existing - considering the angle of overlooking plus the extent of separation which is achieved, this proposed relationship is viewed acceptably. Additional planting has been added to the proposed site layout to further safeguard the relationship between the site and no.15 Carisbrooke Close, although it should still be noted that the separation distances regardless of this vegetation are considered adequate. There is no provision to secure via planning condition that this additional vegetation be retained in perpetuity, however the planting is viewed as a further betterment to the site conditions rather than a fundamental element of screening required to make the proposals acceptable.</p>
8.4.4	<p>The proposed ground floor terrace shall also sit marginally short of this separation distance (at its shortest, some 28.2m from 11 Carisbrooke Close). The proposed terrace shall be raised, sitting at the internal ground floor level which is approximately 1.3m above natural ground level at the rear of the</p>

	<p>building. Again, any lines of site into the neighbouring property will generally be angled, and also existing boundary treatments will also add additional protection. Though the retention of this vegetation in perpetuity cannot be secured via planning condition, the vegetation is marked as being retained within the proposed site plan. Measuring some 1.5m in depth, this terrace is relatively minor in scale thus not capable of supporting extensive levels of outdoor recreation which would pose harmful to the amenity of neighbouring residents. With all these factors in mind, the proposed rear terrace is not considered to give rise to detrimental impacts to the amenity of neighbouring residents.</p>
8.4.5	<p>In relation to no.54 Caldly Road, it is considered that the proposed development will not give rise to harmful overlooking or loss of privacy to this property. In terms of built form, the bulk of proposed extensions lie to the north of the site. The proposals on the south-eastern boundary are now essentially unchanged from the existing, other than a larger chimney breast. The potential impact of the small balcony areas are addressed above and whilst some additional parking spaces shall be located along the boundary with this property, this is to the front of the site, where the front gardens of the two properties adjoin, and this should therefore pose no significant harm.</p>
8.4.6	<p>The previous proposals raised concerns for the amenity of no.50 Caldly Road to the north due to the starkness of the Northern elevation and loss of privacy due to the proposed balconies. As noted, these balconies have been omitted from the proposal, and the balconies currently proposed are located towards the south of the building thus posing no amenity harm to no.50. Chamfered windows contained within the previous design, which posed risk of loss of privacy, have further been removed from the current proposals. The northerly side facing windows proposed (serving Kitchens and Dining Areas) face the front curtilage of neighbouring no.50; this is not considered particularly sensitive amenity space for this property, where all but the entire frontage is laid out to hard standing for parking purposes. Accordingly, the proposals are considered to acceptably safeguard the amenity of neighbouring no.50 Caldly Road.</p>

8.5 Residential Quality	
8.5.1	<p>SPD2 states that vehicle parking spaces should be at least 3 metres from any ground floor window for a habitable room. Under previous application APP/23/00543 this distance was not achieved, with this sub-optimal site layout contributing to a refusal reason of poor overall amenity for occupiers. Concerns regarding noise, disturbance and overlooking of this bedroom were considered further exacerbated by the entrance to both flats 2 and 3 being located in close proximity. The current proposals have increased the distance from the ground floor bedroom window (bedroom 3) to the nearest parking bay to 3.058m, plus added a vegetative buffer immediately in front of this window; the soft landscaping measures some 2.1m in depth, thus providing an acceptable buffer space to discourage close range disturbance from neighbouring occupants. Further, in relation to the access arrangements, the central stairwell column has been re-arranged so that the entrances to apartments 2 and 3 are now located to the south-east, away from this bedroom. This combination of factors is considered to adequately safeguard the future amenity of bedroom 3.</p>
8.5.2	<p>A further contributing factor for reason 4 was that Bedroom 3 of the second floor flat would only be lit by roof lights. This was considered insufficient outlook for a habitable room and contrary to SPD2 which states that all main habitable room windows should have reasonable outlook and not be lit solely by roof lights. The current proposals have incorporated a dormer window to the front elevation which will provide a standard window for this room, as well</p>

	<p>as retaining a rooflight. The combination of both fenestrations is considered sufficient to adequately serve this bedroom with light and outlook. The remainder of the unit layouts are broadly similar to the previous proposals, with all other habitable rooms considered to be acceptably served by natural light and outlook plus accommodation size/layout to allow acceptable overall living conditions with each of the three units complying with Nationally Described Space Standards.</p>
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8.6 Ecology	
8.6.1	<p>The dusk survey concluded that the emergence of bats was absent at 52 Caldy Road and bat activity was limited to a single instance of foraging by one bat. The proposal would not result in a significant loss of vegetation on site and subject to the installation of bat boxes into the development, the ecological impacts of the proposal are considered acceptable.</p>

8.7 Highways	
8.7.1	<p>A bus stop is located immediately outside of the site and a bus stop in close proximity on the opposite side of the road which provides bus links to West Kirby. The site is located within the suburban area density zone within the emerging local plan which includes sites within 1200m (20 min walk) of a railway station which are also within 400m (5-minute walk) of multiple community services and facilities, including district centres, schools and open spaces. The proposal is not a major development and would not exceed 50 dwellings per hectare in density and therefore is not required to be located within 400 metres of safe walking distance of a Key Town Centre or Traditional Suburban Centre in accordance with SPD2.</p>
8.7.2	<p>The proposed works are all contained within a private boundary and do not impact on the adopted highway. SPD4 maximum vehicle parking standards is one space per flat and two spaces for houses with three or more bedrooms. The number of vehicle parking spaces proposed is six, more than the maximum vehicle parking standard of three vehicle parking spaces for the three flats proposed. However, with consideration of the fact that the flats proposed will have three bedrooms each, it is considered that six vehicle parking spaces is acceptable given the maximum vehicle parking standard of two vehicle parking spaces for three-bedroom houses and that the emerging local plan has a minimum parking standard of two vehicle parking spaces for a three-bedroom flat. Appropriate cycle parking and secure storage has been provided within the curtilage which would meet with the cycle parking standard of policy TR12. If approval were to be granted, then a condition would be recommended for the provision of cycle parking prior to occupation and its retention thereafter.</p>
8.7.3	<p>The existing vehicle access arrangements on to Caldy Road are acceptable for the low level of traffic that the three apartments would generate, and satisfactory visibility splays are also achieved onto Caldy Road. It's unlikely the proposal for the three apartments will generate a significant level of traffic and it is therefore considered to have no material impact on the highway. As such, the proposal is acceptable with regards to highways.</p>

8.8 Trees	
8.8.1	<p>During the course of the previous application, T6 required significant crown reduction to allow for the proposed construction works. This tree is considered of high amenity value, contributing to the character and appearance of the surrounding area. The proposed reduction in this specimen would have resulted in future conflict between tree and the development, by not</p>

	retaining adequate space to allow for the future growth of the crown of the tree to normal mature size contrary to policy GR7. This ultimately constituted a refusal reason for application APP/23/00543.
8.8.2	In response to these concerns, the side extension has been reduced back to the line of the existing side extension and the building height reduced. The roof is also now proposed to be pitched away from the crown of the tree meaning that only approximately 15% of the tree branches are to be pruned. The Local Authority's Tree Officer is now satisfied that the revised proposals reduce any future issues of conflict with these trees. Subject to ground protection the works are considered to appropriately safeguard the trees on site.

8.9 Conclusion	
8.9.1	In conclusion, it is considered that the revised plans have adequately addressed the four reasons for refusal attached to the previous planning application APP/23/00543. The re-design of the building, including the reconfiguration of the northern elevation and introduction of pitched roof slopes, results in a building which is a contemporary take of a traditional building and which will not harm the character of the established street scene. The alterations to the northern elevation has also ensured that the impact on trees adjacent to the building have been removed. The removal of large balconies on the north-western corner of the building has removed the harmful impacts to 50 Caldys Road and 11 and 15 Carisbrooke Close, whilst increased provision for soft landscaping to the front of the site softens the overall appearance of the building and improves the quality of accommodation for future occupiers, as does the addition of a dormer window for a bedroom which was previously only served by rooflights. On balance, the proposed development is therefore considered to be acceptable and adequately complies with relevant planning policy.

9. Summary of Decision (Planning Balance)	
9.1	Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. Having regards to the individual merits of this application this recommendation has been made having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000), Joint Waste Local Plan for Merseyside and Halton and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following: -
9.2	The proposals are considered acceptable in design, would provide an acceptable living environment for future occupiers and would not have a significant detrimental impact on neighbouring occupiers. The proposal does comply with Policy HS4, HS11, GR5, GR7 and HS13 of the adopted Wirral Unitary Development Plan, Supplementary Planning Document 2, Supplementary Planning Guidance 11 and the National Planning Policy Framework and the draft Wirral Local Plan

10. Recommended Decision:	Conditional Approval
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Recommended Conditions and Reasons:
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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:

- Proposed Elevations drawing no. 200 Revision D dated 06.03.24
- Proposed Floor Plans drawings no. 110 Revision D dated 06.03.24
- Proposed Roof Plan drawing no. 014 Revision A dated 20.05.24
- Proposed Street Elevation drawing no. 013 Revision B dated 10.01.24
- Proposed Site Sections drawing no. 011 Revision D dated 06.03.24
- Proposed Site Layout drawing no. 010 Revision C dated 08.05.24

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

3 The Arboricultural Method Statement TRE/52CRC/Rev B, by Mulberrytmc and the Tree Protection plan 52CRC/MS/01 Rev A submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, by a suitably qualified tree specialist. The development should thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990

4. Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development should thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the LPA.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990

5. Prior to first occupation, a scheme for the provision of bat boxes within the development shall be submitted to and approved by the Local Planning Authority. The boxes so approved shall be completed and available for use prior to first occupation of the development and shall thereafter be retained.

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

6 Notwithstanding the details submitted with the application, prior to the occupation of the dwellings hereby approved, full details of secure, lockable and covered cycle parking and/or storage facilities bicycles, including the specific location on site, 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 the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

7. No tree, shrub or hedgerow felling is to be carried out on the site between 1 March and 31 August in any year. If it is necessary to undertake works during the bird breeding season then all buildings, 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

8. The following Reasonable Avoidance Measures (RAMs) shall be undertaken during the construction phase of the development hereby permitted:

- Construction work is limited to daylight hours and should only take place between 8am and 6pm to avoid disturbing mammal commuting in the vicinity of the development site.
- Any holes or trenches left open overnight should either be covered at the end of each working day and/or fitted with a means of escape (sloped banks or ramps) in case any animal should fall in & become trapped.
- Any open pipes should be temporarily capped at the end of each working day to prevent any animals gaining access.
- Any obvious mammal paths to be left clear of obstruction.
- All building materials must be stored so that mammals cannot access them.
- Any materials such as barbed/plastic wire/mesh to be stored so that animals cannot become entangled in them.
- The use of chemicals (such as herbicides & fertilisers) should be avoided.
- Should any chemicals or harmful materials be used and stored on site these should be kept in secure compounds away from access by animals.
- Protective fencing should be erected surrounding the construction site during the building work to prevent mammals from entering the site.
- It is imperative that the boundaries of the application site continue to allow for the free movement of wildlife both during and after construction.

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

9. No development involving the use of any facing materials shall take place until samples or details of those materials 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 having regards to Wirral Unitary Development Plan Policy HS13

Informative(s):

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

Consent under the Highways Act is required for the construction of a new vehicle access or the amendment/removal of an existing vehicular access. Proposed vehicle access to be constructed in accordance with LPA commercial concrete crossing specifications. 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 S184 Highway 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 prior to the commencement of the works for the approval of the proposed details

Last Comments By:	08-03-2024
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Expiry Date:	10-06-2024
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