

EAST AREA

ITEM	APP/2006/5560/E	WARD Bidston and St James
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Location: Land adjacent to 84 Statham Road Bidston Wirral CH43 7XS

Proposal Erection of 33 dwellings and garages and associated road works

Applicant: JS Bloor (Wilmslow) Ltd Dean Court 85 Adlington Road Wilmslow Cheshire SK9 2BT	Agent: J S Bloor (Services) Ltd Ashby Road Measham Swadlingcote Derbyshire DE12 7JP
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Development Plan allocation and policies: Primarily Residential Area, UDP; Policies HS4, GR7, TR9, NC7 and the Eleanor Road Development Brief
Regional Spatial Strategy; Policy DP3.

Planning History: OUT/2004/6754/E - 35 dwellings with access from Statham Road. Withdrawn 20/10/04.

OUT/2004/7662/E - Erection of 33 dwellings and garages and associated road works. Approved 28/01/2005.

APP/2005/7333/E - Erection of 33 dwellings and garages and associated road works. Withdrawn 07/12/05.

Representations and consultations

Representations:

Residential properties surrounding the site were notified by letter.

Comments were received by:

Wirral Wildlife. Requests a bat surveyor be present when trees with cavities are taken down and bat boxes put up on remaining trees. Concern is raised with the large beech tree adjacent to 87. More native landscaping should be included in scheme and wood removed from site should be made into habitat piles.

Merseytravel request a travel plan and require developer to construct all internal highway arrangements, inc. access roads, to a standard & format that would permit ease of access for Merseylink Dial-A-Ride vehicles to buildings on site. Request good quality walking routes on site and to the nearest bus stop and developer should fund relevant bus facilities to best practice standards.

Beechwood and Ballantyne Community Housing Association object to the development as they state the developer of the site requires a deed of easement to lay surface water sewers across there land at 26 Hillfoot Close.

Wirral Society Comment: Although the boundaries of the site have been extended to include part of the garden of No 81 Eleanor Road we welcome the fact that the developer has not applied to increase the number of houses already allowed by outline permission.

We have not commented on the style of houses or materials to be used in their construction and rely on the planning officers to ensure they meet the criteria set out for Zone 3 of the Eleanor Road Planning Brief. They should meet much higher standards than those on the adjoining Cricketers' Estate.

Our present concerns are as follows:

1. Some 50% of the boundary of No 65 Eleanor Rd is adjacent to this site. The removal of trees and green cover which has already taken place has left No 65 exposed to unwelcome visitors. The two residents, Mrs. J Middlebrook who is the sole carer for her husband, Prof. Middlebrook, and they are both in their 80's. Intruders have already been onto their property on a number of occasions. We would ask the planning officers to ensure that permanent and substantial fencing be

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constructed along the boundary between the site and No. 65 as a matter of some urgency in order to protect two extremely vulnerable people and to secure their property.

2. At the moment the level of the site which is nearest to No 65 appears to be much higher than the adjoining property. We are concerned that with trees and green cover now removed, surface water will drain onto No 65 with adverse effects for the property owners. We trust that the level will be lowered before building commences and ask the planning officers to obtain assurance from the developer that measures will be taken to prevent any ingress of surface water.

Letters & e-mails have been received from the occupiers of 2 Lymm, 53 Eleanor Road, 55 School Lane, 4 Edgebaston Way, 59, 78 & 80 Statham Road Objecting to the development on the grounds that:

1. It will cause major traffic implications and disruption to residents.
2. Traffic safety issues
3. The density of dwellings will change the character of the area.
4. Inappropriate design compared with neighbouring dwellings.
5. Questioning the removal of trees
6. Why there is no restriction on working hours
7. Devaluation of property in the area
8. Loss of natural environment and views
9. Contractor disruption.

Consultations:

Direction of Regeneration (pollution control): No objection.

Director of Technical Services (Traffic): No objection.

Crime Reduction & Architectural Liaison Comment that 1.8m is insufficient to protect 22/33 which back onto Hillfoot Close. They would like to see 2m with a steep pitched coping as a minimum.

Directors comments: Proposal

This is a full planning application for the erection of 33 dwellings, garages and associated works. It arises as an amended version of an approved outline application for 33 dwellings with planning permission granted for means of access and siting of the development and a subsequent withdrawn application for 31 houses.

Site and Surroundings

The site is allocated for primarily residential uses within the Unitary Development Plan and currently forms large gardens for houses that are accessed from Eleanor Road. A tree preservation order covers the site, which lies within zones 2 and 3 of the Eleanor Road design Brief.

The application site has increased in size from the original outline application with approval for 33 dwellings. The new proposal now includes an area of land east of 85 and 87 Eleanor Road.

The area for zone 2 is some 0.37 hectares where 7.5 detached dwellings would be erected. Zone 3 is approximately 0.93 hectares and would contain 25.5 dwellings. This would be compliant with the density requirements of the Eleanor Road design Brief and would therefore be in keeping with the character of the overall area.

The proposed layout of the development is roughly a 'T' shape with a the new expanded area grafted on to the north of the development. Access into the site gained by extending the existing carriageway at Statham Road. The site is bounded on all sides by residential properties including detached two-storey dwellings to the north of the site on Statham Road, large detached dwellings with large gardens to the east and south and two storey terrace dwellings on Hillfoot Close to the west.

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Issues & Assessment

The main issues to consider in the determination of this application are principle of development, highway safety and car parking, design and site layout, residential amenity, noise/pollution and landscaping issues.

A Bat Survey carried out on the site indicates that the vast majority of trees to be removed show no potential to support bat roost and thereby the removal of these trees is accepted in advance by the bat specialist.

The Arboricultural Implication study has been broken into two sections. This indicates 90 trees out of 209 are to be retained on the original T shaped site. The report goes on to say that within the additional area to the north there is no predominant species in the mixed woodland and a total exclusion zone is not practical on this site. A significant proportion of those to be felled have been identified as sycamore and other species such as horse chestnut, beech or cherry are in poor condition. The retention of a mixture of natural, well established trees together with replacement planting to be conditioned should ensure the proposed development will blend satisfactorily into the landscape on the lower slopes of Bidston Hill.

Comments from the tree preservation officer indicate that whilst he does not have any objections to the proposed scheme he considers the site to be of a sensitive nature and those trees to be retained should be protected and as such, it is proposed to condition any approval that no work begins on site until suitable protective fencing as outlined in British standard BS 5837:2005 Trees in relation to Construction, has been erected and checked by the Tree Preservation Officer. The Tree Officer should be notified of any changes/issues involving trees on site. Conditions should be put in place specifying no changes in gradient within the protective zones of trees and no movement of machinery through these zones. Any driveways, parking areas or hardstanding to be constructed within the canopy spread of these trees should be constructed using a no dig method, using a cellular confinement system and specialist permeable surfacing, such as Cooper Clarke Geo Block. Relevant arboricultural works should be carried out before commencement of the development.

The mix of housing types, building heights, designs and massing of the proposed development should blend in well with the existing housing stock without prejudicing the woodland character of Eleanor Road as intended by the Eleanor Road Development Brief.

The proposed scale of the development is consistent with that of the surrounding area and densities provided on site are consistent with the terms of the Eleanor Road Design Brief.

It is considered that the proposed layout of the houses on the enlarged site will offer increased spacing between plots which will relate the proposed development to its surroundings and allow maintenance of the existing natural features and vegetation. The plots allow for sufficient amenity space, relate well to the surrounding properties in terms of size and design and allow satisfactory provision of off street parking and garages.

The proposed smaller two-storey dwellings located along the eastern boundary will relate well with the existing housing stock located on the Beechwood Estate and those larger house within the scheme allow for a mix of both housing size and style.

It is considered that the development will have a minimal impact upon the amenities of the neighbouring properties in terms of material overlooking, size and overshadowing and the development would not result in any detriment to amenity of existing residents, provided that the overall design meets adopted guidelines.

Having consulted the Agent amended plans were sought in order to secure a layout which met with the Councils usual requirements with regard to separation distances and provision of amenity space. As a result a number of house types were swapped around and slightly moved.

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In order to maintain sufficient privacy between the existing dwellings located along Hillfoot Close and Newdales Close and the new dwellings proposed on plots 23 to 33, a 2m high close board fence should be erected along the boundary. The development is now considered acceptable and of a high environmental standard. Car parking is provided at 2 spaces per dwelling.

The proposal is acceptable in terms of the criteria set out in Policy HS4, GR7, TR9, NC7 and the Eleanor Road Development Brief of Wirral's Unitary Development Plan 2000 and RSS Policy DP3.

Summary of Decision: The proposal complies with Policy HS4, GR7, TR9, NC7 and the Eleanor Road Development Brief of Wirral's Unitary Development Plan and Regional Spatial Strategy policy DP3. It is therefore considered that the proposal is of such a scale as to be appropriate to the surrounding area and will not result in a detrimental change in the character of the area.

Recommendation: **Approve**

Condition(s):

- 1 Full planning permission: standard commencement date. (C03A)
- 2 Samples of the materials to be submitted and approved prior to commencement (C59B)
- 3 Detailed landscaping scheme to be agreed prior to commencement (C71A)
- 4 Replacement of diseased planting for a period of 5 years from completion. (C71G)
- 5 Details of floor levels and surrounding ground levels to be submitted and approved prior to commencement. (C65C)
- 6 Hardsurfacing of driveways before dwelling occupied. (C61D)
- 7 Development according to plans received on 18th May 2006. (C24C)
- 8 Prior to the dwellings hereby approved being occupied, a 2m high close board fence shall be erected along the western boundary of the development between plots 23 to 33 and the existing dwellings located on Newdales Close and Hillfoot Close and retained thereafter.
- 9 Prior to the commencement of the development details of the protective zones around tree to remain shall be submitted to and agreed in writing with the Local Planning Authority before the development is brought into use. There shall be no changes in gradient within the approved protective zones or movement of machinery through these zones.
- 10 Relevant arboricultural works should be carried out before commencement of the development.
- 11 Bat boxes shall be erected in suitable areas in and along the retained trees and woodland of which details shall be submitted to and agreed in writing with the Local Planning Authority before the development is brought into use and retained thereafter.
- 12 Details of proposed bin storage to be shall be submitted to and agreed in writing with the Local Planning Authority before the development is brought into use.
- 13 Before any works are undertaken, the site must be surveyed* for the presence of Japanese Knotweed and a copy of this survey sent to the Local Planning Authority. Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plant may extend laterally up to 7 meters beyond this. Therefore, this survey must also note any knotweed adjoining the site. If Japanese Knotweed is confirmed, full details of a scheme for its eradication and/or control shall be submitted to and approved by the Local Planning Authority prior to the commencement of work on site, and the approved scheme shall be implemented prior to the commencement of the use of the building(s).
*by an approved environmental consultant
- 14 The design of the vehicular access and parking areas, shall take account of all trees situated on or off site and must be in line with appropriate guide lines (BS 5837: 'Trees in Relation to Construction' 2005 and Arboricultural Advisory and Information Service, Practice Note 'Driveways Close to Trees 1996'). The driveway / parking areas, which are within 4 m of existing trees, must be constructed utilising minimum excavation techniques incorporating appropriate surfaces to avoid damage to trees and to withstand any influence of existing trees with regard to future potential indirect/direct tree related damage. No development shall take place until there has been submitted to and approved in writing by the local planning authority technical details of the proposed driveway / parking, which are within 4m of existing trees, to include their dimensions (in relation to existing ground levels), specifications (materials) and when they are to be constructed in relation to other development works.
- 15 Agreement to be reached on site prior to development commences on tree protection measures. (C71M)

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- 16 No development or other operations shall commence on site until adequate steps, which have previously been agreed with the Local Planning Authority, have been taken to safeguard against damage or injury during construction works, all trees on the site or whose root structure may extend within the site, which are subject of Tree Preservation Order. The Tree Preservation Orders affected are Wirral Borough Council No 60 and County Borough of Birkenhead 16/49. In particular, no excavations, site works, trenches or channels shall be cut or pipes or services laid in such a way to cause damage or injury to the trees by interference with their root structure and no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the trees by affecting their root structure.

Reason for conditions

- 1 Standard (CR86)
- 2 In the interests of visual amenity. Policy EM6 or HS4 of the UDP (CR66)
- 3 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
- 4 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
- 5 To ensure satisfactory appearance and prevent overlooking. Policy HS4 (Criteria for New Housing Development) of the UDP (CR76).
- 6 Highway safety (CR13)
- 7 For the avoidance of doubt. (CR33)
- 8 In the interests of amenity. (CR17)
- 9 To protect trees which are of significant amenity value to the area. Policy GR7 of the UDP (CR80)
- 10 To protect trees which are of significant amenity value to the area. Policy GR7 of the UDP (CR80)
- 11 In the interest of protecting bat species.
- 12 To ensure a satisfactory development. (CR42)
- 13 To protect trees which are of significant amenity value to the area. Policy GR7 of the UDP (CR80)
- 14 To ensure that existing third party trees are not damaged or put under pressure of removal due to actual or perceived risk of potential driveway damage which will maintain the visual and environmental quality of the site and surrounding area.
- 15 To ensure site works adequately protect the trees. Policy GR7 of the UDP (CR81)
- 16 To protect trees which are of significant amenity value to the area. Policy GR7 of the UDP (CR80)

Last Comments By: 04 May 2006

56 Day Expires On: 17 May 2006

Notes:

Advisory:

Japanese Knotweed has been reported on or near this site. It is a highly invasive weed that is capable of structural damage. Disturbance will cause it to spread and its movement is controlled by legislation. Under the Wildlife and Countryside Act 1981 it is illegal to cause it to spread in the Non-standard reason: wild. You are strongly advised to survey the site for the presence of Japanese Knotweed at an early stage and before any site clearance work and, if found, to formulate plans to control or eradicated it. Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plants may extend laterally up to 7 meters beyond removal due to actual or perceived risk of potential driveway damage. Which will maintain this. Knotweed in adjoining land may affect the site and should be noted and considered. Detailed the visual and environmental quality of the site and surrounding area. Detailed advice is given in these Knotweed Web Sites:

http://www.devon.gov.uk/environment/natural_environment/biodiversity/japanese_knotweed.htm

http://www.environmentagency.gov.uk/commondata/103599/cop_for_jap_knot_899878.doc