

Planning Committee

12 May 2020

Reference:
APP/19/00822

Area Team:
**Development
Management Team**

Case Officer:
Mr M Wood

Ward:
Hoylake and Meols

Location:
Proposal:

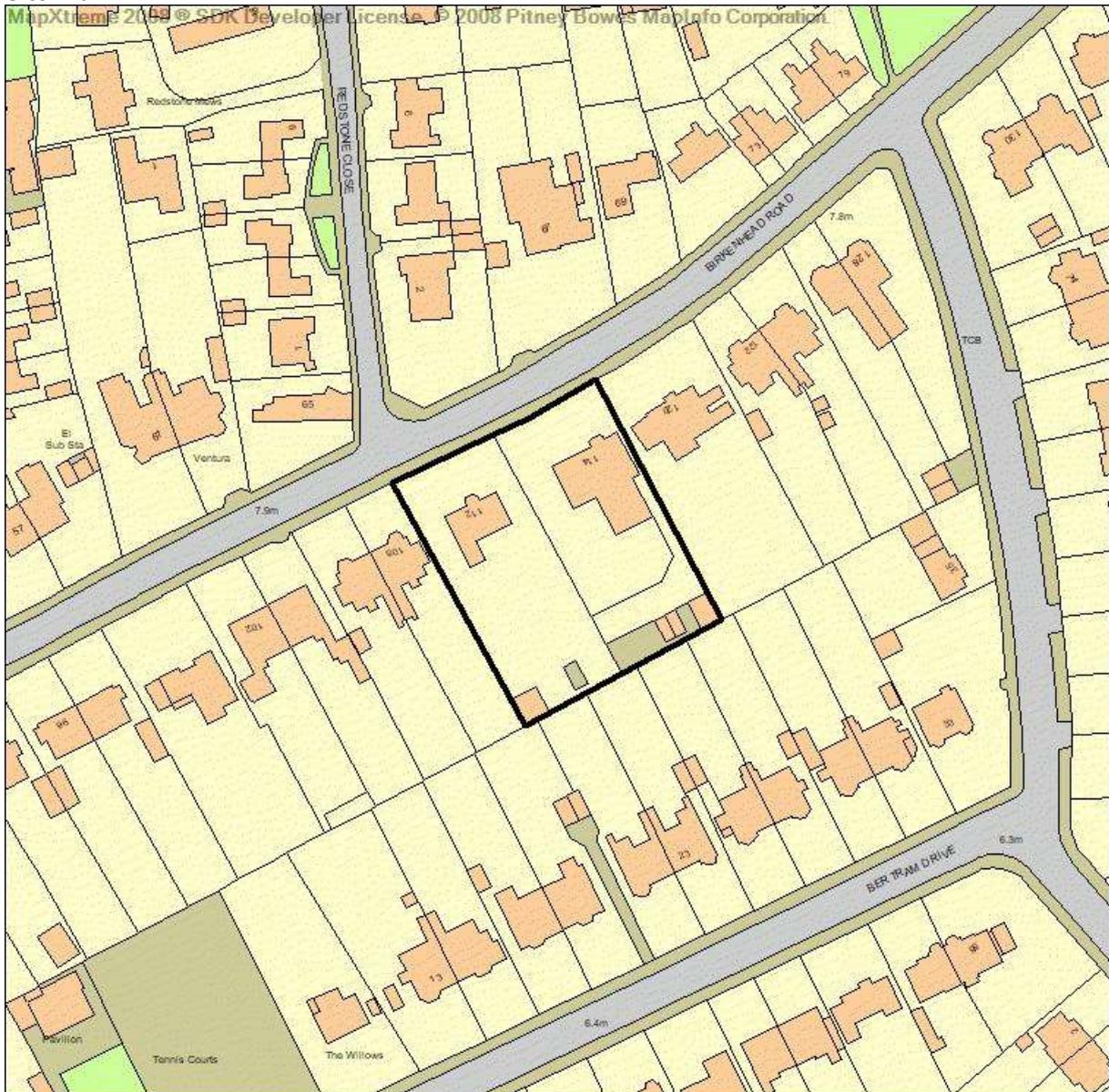
Westward, 112- 114 BIRKENHEAD ROAD, MEOLS, CH47 0LE
The proposal is for 1no. 3 storey new build block and 1no. 2.5 storey new build block, containing 6no. 1 bedroom and 21no. 2 bedroom apartments, along with associated car parking and landscaping.

Applicant:
Agent :

Forth Homes Ltd
Paddock Johnson Partnership

Qualifying Petition: Yes, Number of Signatures: 137

Site Plan:



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Development Plan designation:

Primarily Residential Area

Planning History:

Location: Annesford House, 114 BIRKENHEAD ROAD, MEOLS, CH47 0LE
Application Type: Full Planning Permission
Proposal: Change of use from hotel to assisted living accommodation
Application No: APP/16/01327
Decision Date: 24/11/2016
Decision Type: Approve

Location: Annesford, 114, Birkenhead Road, Meols. L47 0LE
Application Type: Full Planning Permission
Proposal: Ground floor side extension and first floor rear extension and variation of condition 3 of planning approval WAPP/86/6476/N of 19th September 1985 to accommodate 16 residents, and erection of porch.
Application No: APP/86/05938
Decision Date: 31/07/1986
Decision Type: Approve

Location: Annesford, 114, Birkenhead Road, Meols. L47 0LE
Application Type: Full Planning Permission
Proposal: Erection of single storey lounge extension at side and variation of condition to allow 18 residents.
Application No: APP/86/06801
Decision Date: 15/01/1987
Decision Type: Approve

Location: Annesford House, 114 BIRKENHEAD ROAD, MEOLS, CH47 0LE
Application Type: Full Planning Permission
Proposal: Change of use to guest house accommodation
Application No: APP/10/00874
Decision Date: 02/09/2010
Decision Type: Approve

Location: Annesford House, 114 Birkenhead Road, Meols, Wirral, CH47 0LE
Application Type: Full Planning Permission
Proposal: Change of use from residential care home to guest house
Application No: APP/08/05831
Decision Date: 30/07/2008
Decision Type: Refuse

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

1.1 No comments received.

2.0 SUMMARY OF REPRESENTATIONS

REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing representations have been received comprising of 79 objections, and a qualifying petition containing 137 signatures summarising the issues as follows;

1. Unsuitable design for locality
2. Loss of quality homes
3. Parking provision and increased traffic impact
4. Loss of privacy

5. Loss of trees
6. Overdevelopment of the site

CONSULTATIONS

Highways - No objections

Lead Local Flood Authority (LLFA) - No objections subject to conditions

Merseyside Environmental Advisory Service (MEAS) - No objections subject to conditions

3.1 Reason for referral to Planning Committee

3.1.1 Application has been referred to Planning Committee due to a qualifying petition and was originally scheduled for March Planning committee, however it was considered that a second round of consultation was required despite the scheme being reduced significantly from the original submission.

3.2 Site and Surroundings

3.2.1 The site currently comprises two large two storey detached buildings with hardstanding to the front and gardens to the rear. The two properties are located on Birkenhead Road, Meols which is characterised by large detached buildings of varying design. No. 114 has previously been used as a guest house while no. 112 is currently a large residential dwelling. The two properties are separated by timber fencing and dense vegetation. The front boundary is a low red brick wall, while the remaining existing boundaries are fencing and dense hedgerows. There are single storey garages and outbuildings located to the rear of the properties along the south boundary.

3.2.2 The site occupies a rectangular plot fronting Birkenhead Road to the North boundary with residential properties surrounding. There are three vehicular/pedestrian access gates from Birkenhead Road; two accessing No. 114 and one accessing no. 112. The site is located close the village of Meols, with the immediate surrounding area generally consisting of two and three storey traditional detached and semi-detached dwellings. The site is located approximately 500m from the nearest high street shops and approximately 750m from the nearest train station (Meols).

3.3 Proposed Development

3.3.1 The proposal has been amended from the original submission and now consists of the following, 1no. 3 storey new build block and 1no. 2.5 storey new build block, containing 6 no. 1 bedroom and 21 no. 2 bedroom apartments overall, along with associated car parking and landscaping.

3.3.2 The changes to the scheme involve the loss of three terraced properties toward the back of the site and a reduction in the scale and massing of block A which amount to a loss of 3 flats and 3 terraced dwellings which in turn affects the landscaping and parking provision upon the site.

3.4 Development Plan

3.4.1 Wirral Unitary Development Plan (UDP) Policies

Policy HS4: Criteria for New Housing Development

Policy HSG2: Affordable Housing

Policy HS6: Principles for Affordable Housing

Policy HS7: Sheltered Housing Policy

Policy GR7: Trees and New Development

Policy NC7: Species Protection Policy

Policy TR9: Requirements for Off Street Parking

Policy TR12: Requirements for Cycle Parking

Policy WA2: Development and Land Drainage

3.4.2 Joint Waste Local Plan for Merseyside and Halton

Policy WM8: Waste Prevention and Resource Management

Policy WM9: Sustainable Waste Management Design and Layout for New Development

3.4.3 SPD4 - Parking Standards

3.5 Other Material Planning Considerations

3.5.1 The National Planning Policy Framework 2018 (NPPF)

Section 2: Achieving sustainable development

Section 4: Decision Making

Section 5: Delivering a sufficient supply of homes

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 15: Conserving and enhancing the natural environment

3.6 Assessment

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

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

3.7 Principle of Development:

3.7.1 The site is located within a primarily residential area and as such the principle of residential development is acceptable subject to accordance with the above mentioned policies.

3.7.2 The applicant is committed to ensuring the proposal is for 100% affordable housing which complies with the Councils UDP Policy HS6 and adopted Affordable Housing provision of 20% in this location. This will be secured through a 106 agreement.

3.8 Design:

3.8.1 The key design feature that has been employed by the applicant is to try and maintain the scale of the development when viewing the proposal from its most exposed position (ie from Birkenhead Road). The proposed new blocks have attempted, from a design perspective to be in character with the established streetscene in terms of scale and massing.

3.8.1 There were significant concerns with the original submission in terms of overdevelopment, these concerns were taken onboard by the applicant and a subsequent redesign came forward that omitted the block of terraced housing and reduced the footprint of Block A by 36% (694 sqm to 440 sqm). These changes effectively reduce the amount of the site built upon which in turn allows for more amenity space and an appropriate level of off street parking provision.

3.8.3 The overall appearance of the proposed two blocks could be considered contemporary with a mix of red brick masonry and off white render. The design also incorporates generous window openings to allow for increased natural light into the apartments. Block A contains 15 apartments and consists of gable features at either end of the front elevation with a hipped roof to reduce bulk. Block B contains 12 units and addresses Birkenhead Road with a central 3 storey element two thirds red brickwork and one third off white render. It is considered that the overall appearance of the scheme is of a contemporary style which takes influence from the surrounding variety of key design principles.

3.9 Highways:

3.9.1 Section 9 of the NPPF 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.

3.9.2 Objections have been received raising concerns about traffic, congestion and parking and the impact the development would have on the local network. Having assessed the application Highways Engineers are satisfied the development complies with the above policies and the NPPF.

3.9.3 This conclusion is drawn following discussions and amendments with the applicant and following a reduction in the development overall there was scope to provide 27 parking bays three of which will be disabled bays which accords with the SPD4 parking standards requirements.

3.10 Ecology:

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

3.10.2 Section 15 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. It advises that if significant harm to biodiversity is identified as a result of a development that cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

3.10.3 With regard to Habitats Regulations 2017 an Appropriate Assessment has been carried out that concludes that with a condition attached to advisory leaflets being provided with sales packs for the residential units then there would be no adverse impact upon the integrity of European sites.

3.11 Amenity:

3.11.1 Taking into account the reductions outlined above and the proposed developments relationship with closest affected neighbours (no's 110 and 120 Birkenhead Road) the proposal is considered acceptable and in accordance with Policy HS4. The flanks of each proposed building affecting these closest neighbours have no habitable room windows proposed which coupled with dense established planting on the boundary with no. 120 ensures there will be an acceptable level of impact by allowing the proposal. Similarly, the position of habitable room windows on the proposed development are positioned in such a way to not be dissimilar to the current properties and as such the potential for overlooking is considered minimal.

3.11.2 When assessing the level of amenity for future occupiers the LPA looks at room sizes, amenity space, outlook and general quality of surroundings including off street parking provision and proximity to local services in this regard the proposed development of each block is considered acceptable and in accordance with policy HS4.

3.12 Drainage

3.12.1 The applicant has submitted a Drainage Strategy which has been considered by the Lead Local Flood Authority. This is considered to be acceptable, subject to the attached conditions.

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 proposal is considered acceptable development within a Primarily Residential Area contribute to meeting an identified housing need. The proposal will not harm the amenities of nearby properties or the character of the area and is therefore considered to comply with relevant policies within the Wirral Unitary Development Plan and the National Planning Policy Framework

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

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority and listed as follows:

Dwg no. 19034-101-E Indicative Site Layout received via email 21 February 2020
Dwg no. 19034-102 B Proposed Block A floor plan received via email 23 October 2019
Dwg no. 19034-103 B Proposed Block A elevations received via email 23 October 2019
Dwg no. 19034-107 Proposed Block B floor plan received via email 23 October 2019
Dwg no. 19034-108 Proposed Block B elevations received via email 23 October 2019

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

4. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

5. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

- A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.
- B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
- C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above,

specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- J. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).
- K. the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)
- L. the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
- M. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- N. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).
- O. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- P. the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To protect trees which are of significant amenity value having regards to policy GR7 of Wirral's UDP

6. No construction works above ground level 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 policies WM8 and WM9 of the Waste Local Plan.

7. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse, including recycling facilities, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by

the local planning authority. The approved details 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 policies WM8 and WM9 of the Waste Local Plan.

8. No construction works above ground level shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of noise, dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of adjoining residents and having regard to Policy HS4 of the Wirral Unitary Development Plan.

9. A sales/information pack highlighting the location of, and promoting the use of, alternative greenspaces within the area (such as Birkenhead Park and Bidston Moss) and explaining the importance, sensitivities and vulnerabilities of protected European Sites to recreational impacts, shall be provided to every new home buyer for the development hereby permitted.

Reason: In the interests of protecting the integrity of European Sites by alleviating excessive recreational pressure.

10. No residential development shall commence until the **final detailed sustainable drainage design**¹, for the management and disposal of surface water from the site based on the principles and details identified in the following documents has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority:

- 112-114 Birkenhead Road, Meols, Wirral BRW-AJP-ZZ-XX-RP-C-3010 / rev: P03/AJP

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 163 and 165 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

11. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, to be submitted for each development phase, approved by the Local Planning Authority, in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan,

confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, in accordance with any approved phasing, prior to occupation.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 163 and 165 of the National Planning Policy Framework and House of Commons Written Statement 161 for Sustainable Drainage Systems.

12. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any works commence on site. The landscaping works shall be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

The detailed landscaping plan(s) shall include:

- (i) Details of boundary treatments and hard surfaces;
- (ii) The location, size and species of all trees to be planted;
- (iii) The location, size, species and density of all shrub and ground cover planting;
- (iv) A schedule of implementation; and
- (v) A schedule/scheme for the subsequent management and maintenance of any trees, shrubs and hedges retained on the site and any proposed to be planted as part of the approved landscaping scheme.

Reason: In the interests of visual amenity and to ensure that the development complies with Policy HS4 of the Wirral Unitary Development Plan.

13. Prior to the first occupation of the dwellings hereby approved, 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 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.

Further Notes for Committee:

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

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

The proposed drainage strategy includes communal storage components that will NOT be adopted by United Utilities. The LPA should be satisfied that maintenance of all communal components has been secured in perpetuity via an appropriate mechanism / agreement.

1 Terms of Condition

Final Sustainable Drainage Strategy to be in accordance with DEFRA's Technical Standards for Sustainable Drainage Systems and the SuDS Manual and include:

- Justification of final design, including infiltration test results to BRE 365
- Drawings to include:

- Final layout of roads and properties including plot numbers, finished floor levels and boundaries
- Final layout of sewers; outfalls; SuDS; flow controls and overland flow paths (designed for exceedance)
- Longitudinal sections showing existing and proposed ground levels, 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:
 - Pipe network design
 - System performance for following return periods; 1, 30, 100, 100 plus appropriate climate change allowance
 - Design criteria summary, Full network details table, Contributing area summary, Control/storage structure details, Results summary print outs
 - Volumetric runoff co-efficient (Cv) should be set to '1'
 - Rainfall model should preferably be FEH for robustness
 - Sensitivity checking for climate change at 40% if lower allowance used
- Maintenance statement explaining who will own the SuDS and how maintenance and replacement will be funded over the lifetime of the development.
- Evidence that means of access for maintenance and easements, permissions and consents for crossing third party land and discharge in perpetuity, where applicable, has been secured.
- Construction phase surface water management plan for each construction phase.

If there are any material changes to the submitted information which impact on surface water drainage or the management of flood risk, the local planning authority is advised to consider re-consulting the LLFA.

2. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. The proposed vehicle access shall be constructed in accordance with LPA commercial 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 S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council Highway Management team area manager via www.wirral.gov.uk prior to the commencement of the works for the approval of the proposed details.

Last Comments By: 02/04/2020

Expiry Date: 29/08/2019