

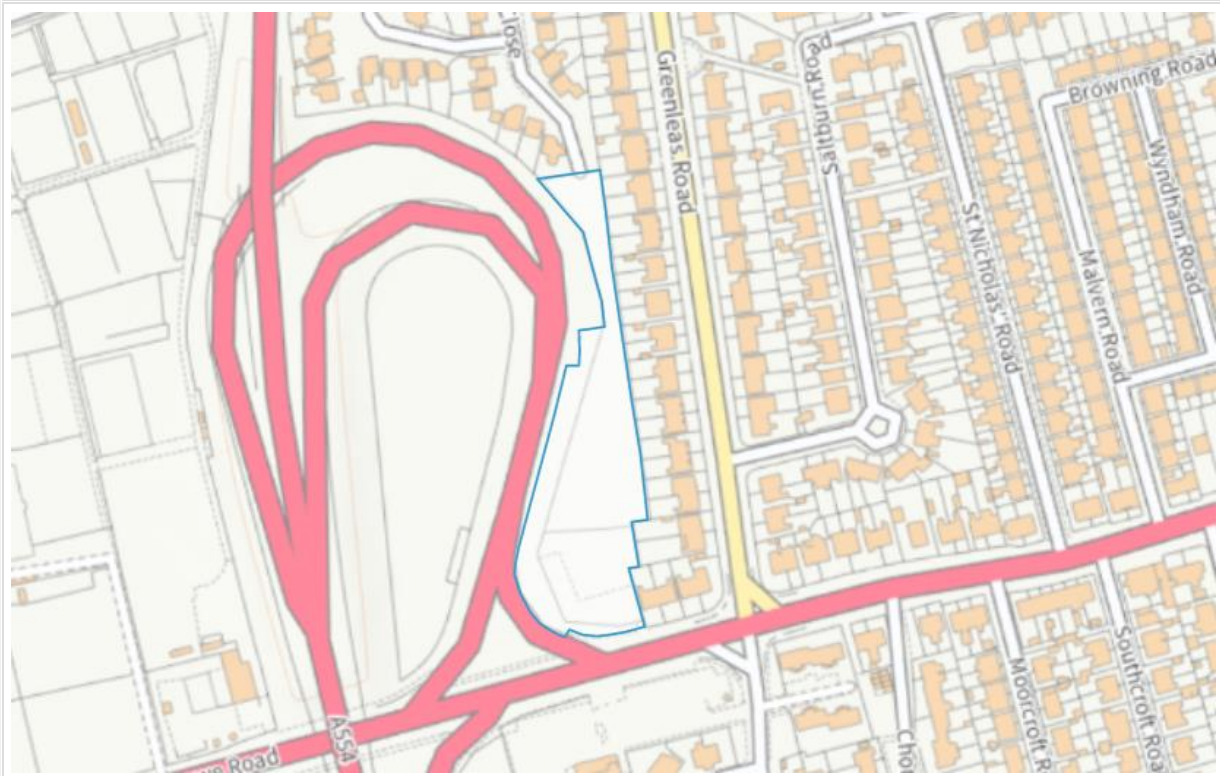
Planning Committee	March 16th 2023
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Reference:	Area Team:	Case Officer:	Ward:
APP/22/01323	DM	Mr J Bellis	Wallasey

Location:	Grazing Land Leasowe Road, Wallasey Village, Wirral,
Proposal:	Erection of 14 homes together with associated infrastructure, access, internal roads, landscaping and associated works (Amended Description 06.12.2022)
Applicant:	c/o agent (Starship Group)
Agent:	Nicole Roe, Eden Planning

Qualifying Petition	Yes. A petition has been received from a local residents group (125 Signatures).
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Site Plan:



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Development Plan designation:	Primarily Residential Area
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Planning History:	OUT/02/06143 - Withdrawn OUT/14/00105 - Refused (Dismissed at Appeal APP/W4325/A/14/2220956)
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Summary Of Representations and Consultations Received:

1. Ward Member Comments

Councillor Paul Hayes, Councillor Ian Lewis and Councillor Lesley Rennie

“I write to submit an OBJECTION to the above application, on behalf of the three local councillors in Wallasey Ward – Lesley Rennie, Paul Hayes and me.

We object because this land, recognised by the applicant as agricultural land, most recently used for grazing, is not therefore ‘brownfield’ land and, as such is contrary to the objectives of the draft Local Plan. We understand from one of your colleagues that, while the Local Plan is still in draft, it is material to planning considerations.

Furthermore, we do not believe the addition of 17 additional properties, with likely multi-car ownership is appropriate within a designated School Streets zone, not least because all additional traffic will be passing the gate of the school.”

2. Summary of Representations

REPRESENTATIONS

A petition has been received from a local resident's group (125 Signatures). This raises the following issues:

- The recent Wirral Borough Council scheme School Street identified Greenleas Close as a very narrow road with limited turning space. The whole aim was to minimise the amount of traffic for the safety of children and parents at Greenleas School. The amended application centres on reducing the number of houses from 17 to 14 meaning another 28 vehicles could be using the road. This totally counteracts the intention of reducing traffic numbers in the Close and the aims of the School Street Scheme.
- The number reduction of proposed houses from 17 to 14 would not make a significant difference to traffic numbers.
- The land in question is not a ‘brownfield’ site. In the past it has never been used to build on and previously used as market garden land and more latterly as grazing for horses and associated stables etc. Government recommendations are to use brownfield sites to build on before considering greenfield sites.
- We consider the application to be a total over development of the site and the visual impact would not be in keeping with the original houses on the existing estate. This would be to the detriment of the local environment.
- The land in question is a natural habitat for wildlife and needs to be preserved.

At the time of writing, and in addition to the petitions referred to above, 58 representations have been received from interested parties, 57 of these are objections. To summarise these, raise the following key issues:

- Principle of Development;
- Overdevelopment of the Site and Area;
- Highway Safety (Particularly near Greenleas Primary School);
- Amenity Impacts on nearby occupiers;
- Impacts on Wildlife;

	<ul style="list-style-type: none"> • Flood Risk and Drainage Matters; and, • Restrictive Covenants on the site precluding residential development <p>One Neutral comment has been received in relation to the proposal. This states that following the amendments to the proposal, that the scheme is now far more considerate of the neighbours and the requirements of the area. In view of the above approval of the scheme would be understood, but the proposal is still over development but will provide needed housing.</p>
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	<p><u>CONSULTATIONS</u></p> <p>Wirral Highways - No objection with condition and informative.</p> <p>Active Travel Officer - Detail of School Street ETRO at Greenleas Primary School provided.</p> <p>Environment Agency - No objection, subject to conditions.</p> <p>LLFA – No objection, subject to conditions.</p> <p>Environmental Health – No objection, subjection to conditions.</p> <p>Affordable Housing – No objection, subject to conditions.</p>
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3.1 Site and Surroundings	
3.1.1	<p>The site is located at the western edge of the settlement of Wallasey Village, within a Primarily Residential Area and surrounded by established residential development on two sides and highways on the other sides. The site is bounded by Leasowe Road and a slip road leading from the A554 along the southern periphery. Land beyond the A554 is designated as Green Belt. Here, there are a number of agricultural uses and areas of semi-open countryside, but they do not extend as far as the site. Existing two storey residential properties border the site to the east and north. The site area is approximately 0.8ha, and has a topography that is relatively flat, with a slight incline towards the northern boundary, to the west of the site, the topography is raised artificially to accommodate the slip-road. Greenleas Road to the east of the site is characterised by traditional semi-detached properties with rear gardens and is positioned lower than the site. Greenleas Close to the north is characterised by an open plan estate of detached brick dwellings. There is a Primary School at the head of Greenleas Close.</p>

3.2 Proposed Development	
3.2.1	<p>The proposal seeks the erection of 14 homes together with associated infrastructure, access, internal roads, landscaping and associated works. This is a reduction from 17 dwellings at the point of submission. The scheme is intended to be 100% affordable housing.</p>

3.3 Development Plan	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
3.3.1	<p>The Wirral Unitary Development Plan 2000</p> <ul style="list-style-type: none"> • URN1 Development and Urban Regeneration • URN2 Planning Agreements • HSG2 Affordable Housing • NCO1 Principles for Nature Conservation • LAN1 Principles for Landscape • TRT1 Provision for Public Transport • TRT3 Transport and the Environment • TR9 Requirements for Off-Street Parking • TR12 Requirements for Cycle Parking • WMT2 Recycling and Re-use of Waste Materials • WAT1 Fluvial and Tidal Flooding • WAT2 Protection of the Water Environment • WA5 Protecting Surface Waters • HS4 Criteria for New Housing Development • HS6 Principles for Affordable Housing • HS9 Mobility Housing • NC1 Protection of sites of international importance for Nature Conservation • NC3 Protection of Sites of National Importance for Nature Conservation • NC4 Sites of National Importance for Nature Conservation • NC7 Species Protection <ul style="list-style-type: none"> • GR5 Landscaping and New Development • PO1 Potentially Polluting Development • PO3 Noise • PO4 Noise Sensitive Development <p>The Joint Waste Local Plan for Merseyside and Halton</p> <ul style="list-style-type: none"> • WM8 Waste Prevention and Resource Management • WM9 Sustainable Waste Management Design and Layout for New Development

3.4 Other Material Planning Considerations	
3.4.2	<p>The National Planning Policy Framework (2021)</p> <ul style="list-style-type: none"> • Introduction • Achieving sustainable development • Decision-making • Delivering a strong supply of homes • Promoting healthy and safe communities • Promoting sustainable transport

	<ul style="list-style-type: none"> • Making effective use of land • Achieving well-designed places • Protecting Green Belt land • Meeting the challenge of climate change, flooding and coastal change • Conserving and enhancing the natural environment • Conserving and enhancing the historic environment <p>The National Planning Policy Framework Consultation Draft (2022)</p>
3.4.3	Supplementary Planning Document 4: Parking Standards
3.4.4	<p>Wirral Borough Council is in the process of submitting a new local plan for examination.</p> <p>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 Local Plan was submitted to the Secretary of State on the 26th of October 2022. The local plan and supporting evidence base can be viewed online at www.wirral.gov.uk/lpexam</p> <p>As the Wirral Local Plan has been submitted for examination it (and the supporting evidence base) is a material consideration and can be afforded weight in the decision making process. In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:</p> <p><i>“Local planning authorities may give weight to relevant policies in emerging plans according to:</i></p> <ul style="list-style-type: none"> • <i>the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</i> • <i>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</i> • <i>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).”</i> <p>The following policies are considered to be relevant to this proposal: WS1, WS2, WS3, WS5, WS6, WS7, WS8, WS9, WS10, WD1, WD3, WD4, WD14, WD15, WD18, WM6.</p> <p>At the present time, the Wirral Local Plan is a Material Consideration and can be afforded limited weight in the decision making process.</p>
3.4.5	Wirral Tree, Hedgerow and Woodland Strategy 2020-2030 and National Design Guide (2021) are also material considerations.

<p>3.5 Assessment</p>	<p>Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Development Plan where the site is located, comprises the saved policies of the Wirral Unitary Development Plan (Adopted 2000) and the Joint Waste Local Plan for Merseyside and Halton (Adopted 2013)</p> <p>The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.</p> <p>The emerging Wirral Local Plan, together with its up-to-date evidence, is considered to be a material consideration in the determination of planning applications. Paragraph 48 of the NPPF states <i>“Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) 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 c) 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)”</i></p>
	<p>The application has been assessed against development plan policies, national planning policy and guidance, and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:</p> <ul style="list-style-type: none"> • The Principle of the Development • Affordable Housing and Housing Mix; • Design; • Residential Amenity; • Highways and Transport; and, • Drainage and Flood Risk.

<p>3.6 Principle of Development</p>	
<p>3.6.1</p>	<p>This is a full application for the erection of 14 no residential units on grazing land between Leasowe Road and Greenleas Close. There have been several previous applications on the site. The first (OUT/02/06143) for 8 dwellings was withdrawn, the second (OUT/13/00810) for 16 dwellings was refused and subsequently dismissed on appeal and a third (OUT/15/00977) for 10 dwellings which was approved by planning committee, with a decision issued in 2016.</p>
<p>3.6.2</p>	<p>The two reasons for refusing the earlier applications related to over development of the site by reason of the quantum and scale of the proposed development and highway safety and additional traffic generation fronting Greenleas school. These did not relate to the principle of development, with the development plan for Wirral based on the same policies that currently apply.</p>

3.6.5	Chapter 5 of the NPPF sets out national planning policy in relation to housing, this states that the government's objective is to significantly boost the supply of homes. it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.
3.6.6	The site is designated as a Primarily Residential Area in the Wirral Unitary Development Plan, and the principle of residential dwellings are acceptable subject to UDP Policy HS4 'New Housing Development' and the National Planning Policy Framework.
3.6.7	Policy HS4 Criteria for New Housing Development of the adopted Wirral Unitary Development Plan (UDP), and the National Planning Policy Framework (NPPF) are directly relevant. The proposed development does not conflict with policy HS4 'Criteria for New Housing Development' criteria (i) and (ii) in that it would relate well with neighbouring properties and the character of the surrounding area, albeit with a different character to nearby residential dwellings. Further to this the proposal is located within an area for which residential development would be considered to be acceptable within the emerging Local Plan.
3.6.8	The proposal is considered to be in compliance 'in principle' with the relevant policies in the Development Plan, as a site within the urban area, given the allocation within the UDP as a 'Primarily Residential Area' and when balanced against the appropriate material considerations where these can be given weight, including the planning history, emerging Local Plan and the NPPF.
3.6.9	A range of representations have been received from nearby occupiers and interested parties (including Councillors) querying the principle of development of the site e.g., agricultural nature of the site and the querying whether the site has been previously developed. As can be seen from the above, it is however considered that the principle of development of the site for residential development is acceptable in this instance given the designation in the UDP and the planning history on the site. Issues over a covenant on the land have been raised, however this is a civil matter that should not be considered as a determining factor of this planning application.

3.7 Housing Mix and Affordable Housing Matters	
3.7.1	Planning Policies regularly require a mix of housing to be developed, this is in the interest of meeting differing housing needs across society. Policy HSG2 and HS6 of the Wirral UDP goes into specific local detail; with the National Design Guide providing national guidance on this.
3.7.2	The National Design Guide States <i>"Well-designed neighbourhoods provide a variety and choice of home to suit all needs and ages. This includes people who require affordable housing or other rental homes, families, extended families, older people, students, and people with physical disabilities or mental health needs."</i>
3.7.3	This application as 'major development' is deemed appropriate to contribute to the affordable housing delivered in the borough. Policy in relation to this is set by the Wirral UDP (policy HSG2 and HS6) and the NPPF (Section 5), with evidence about

	up to date requirements taken from the evidence base of the emerging Local Plan. The current requirement, based on evidence from the most recent SHMA is that a contribution equivalent to 20% of the site should be provided. The emerging Local Plan also has policy relating to affordable housing, however this can only be given limited weight at this stage.
3.7.4	The proposal includes a mix of dwellings houses (two house types across the 14 dwellings, both house types are 3 bed properties designed for 6 people, both with a Gross Internal Area of 97m2) all of which are intended to be affordable homes. It is therefore deemed to be in conformity with relevant policy e.g. Development Plan and guidance and other relevant material considerations; where these can be given weight, given the proposals are intended to provide for affordable family homes.
3.7.5	On the basis that the proposal is to be solely for affordable housing, the Housing Strategy/Affordable Housing Team has agreed to support the proposal on this basis, with the details secured via an appropriately worded condition. Although the proposal in its entirety is affordable housing, it is only considered appropriate to secure 20% of the dwellings as affordable dwellings to ensure the proposal is policy compliant.
3.7.6	Subject the condition referred to above, and insofar as affordable housing and housing mix matters are concerned, the proposal is considered to accord with relevant Wirral policy from the UDP and other relevant sections of the development plan, taking into account relevant material considerations and the provisions and intentions of the NPPF; where these can be given weight

3.8 Design	
3.8.1	This section seeks to assess the design of the proposal, for which the key considerations are the impact the proposal would have on Local Character and Townscape. These are all intrinsically linked, and, in this instance, it is deemed these should be considered together in this section. Other sections of this report also inform the design of the proposal and are interlinked.
3.8.2	The standards for new housing development are set out under UDP Policy HS4 which includes visual implications. Policy GR5 is also relevant to this proposal. 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.
3.8.3	Paragraph 130 of the NPPF states that planning decisions should ensure that <i>“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”</i> . Paragraph 134 of the NPPF states that <i>“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.”</i>
3.8.4	The NPPF should be read alongside the National Design Guide (2021). Paragraph 21 of the Design Guide advises that <i>“a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including: the layout (or masterplan); the form and scale of buildings; their appearance; landscape; materials; and their detailing”</i>

3.8.5	<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"> • Contextual design which responds positively to the features of the site and the surrounding area beyond its boundary. Paragraph 43 advises 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. • 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; and • Built form which relates well to the site and its context.
3.8.6	<p>The application is for full planning permission and the applicants have provided a layout and elevational treatments. The site is to be accessed via Greenleas Close to the north and will utilise a single road running through the site. To this end, the scheme will integrate well into its surroundings by reinforcing existing connections and creating a new one. The submitted drawings also identify a pedestrian/cycle access onto Leasowe Road which will ensure that the site is permeable for pedestrians and cyclists.</p>
3.8.7	<p>The scheme proposes a mix of dwellings, with all the dwellings proposed to be affordable dwellings, with off street parking provided for each property. The submitted plans and elevations demonstrate the quality of the design proposed, which is an improvement to an otherwise vacant site within a predominantly residential location. The proposed height of homes is reflective of the residential form in the surrounding suburban area, with the scale and massing of homes is also considered appropriate and suitable for a low-density residential location on a settlement's outskirts. Whilst some of the proposed homes extend above 2 storeys, with a 3rd storey in the roof space, these would remain comparable to others in the locality, with materials to be controlled by condition. The proposal also includes for a small public landscaped area to the south east of the site.</p>
	<p>Comments have been raised by nearby occupiers and interested parties that the proposal would appear out of character with the nearby dwellings, given the proposals have the appearance of modern family dwellings, they are considered appropriate in this location and it is also considered that the benefits of the scheme posed in contributing to meet local housing needs through the provision of affordable housing, would outweigh perceived negative impacts on local character.</p>
3.8.8	<p>On this basis the design of the proposal, is considered appropriate, it therefore is considered to be in accordance with relevant policies from the development plan, the relevant sections of the NPPF and the relevant policies from the emerging Local Plan, and other material considerations e.g. National Design Guide, where these can be given weight.</p>

3.9 Residential Amenity	
3.9.1	<p>NPPF Paragraph 130 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the</p>

	<p>importance of planning positively for the achievement of high quality and inclusive design for all development. The relevant local policy in relation to this is HS4 of the UDP, and accompanying Appendix A (design and layout of new dwellings).</p>
3.9.2	<p>In the context of the above, the proposals are not considered to be in conflict with paragraph 130 of the NPPF. The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 185 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 92 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.</p>
3.9.3	<p>SPG2 (Designing for self-contained flat development and conversions) provides standards for separation distances which have been fully satisfied, Habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. If there are differences in land levels or where development adjoins that of different ridge height, such as three-storey development adjacent to two-storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres. The proposed scheme can therefore meet the required interface distances.</p>
3.9.4	<p>The scheme has been reduced from 17 dwellings to 14, with the layout of the proposal changing. This does not impinge on the amenity impact further than the previous scheme, which was considered to be compliant with relevant separation distances and was considered to not have be negative impact on nearby occupants that was significant enough as to warrant the refusal of the application. Of note, this has seen the removal of the gateway dwelling at the entrance to the site from Greenleas Close, and the properties located to the rear of 3, 5, 7 and 9 Greenleas Road move slightly closer to those dwellings, bringing them either into line with the adjacent dwellings to the north or maintaining a larger separation distance from that experienced elsewhere on the scheme (in the case of the properties behind 3 and 5 Greenleas Road). The applicant has also altered the elevations and plans of two of the dwellings where there were overlooking concerns to existing properties gardens, this has included the obscuring of glazing and the additional of an additional window on one of the proposed dwellings. The layout and scale of the development as now presented is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the dwellings proposed, which ensure that residential amenity is protected. In the context of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF, subject to the imposition of appropriate condition such as an obscured glazing condition.</p>
3.9.4	<p>The application is supported by an Acoustic Report prepared by red acoustics. The report confirms that with appropriate mitigation in place, the proposed development accords with Policy PO4. Specifically, the proposal has considered sources of noise (level, tone, duration, and regularity), background noise, and any mitigation required in the design of any proposed housing development.</p> <p>The report indicates the areas of the site that experience the most external noise and so require noise mitigation. The report identifies the greatest noise levels concentrated along a western portion of the site. These have been accounted for in the proposed design, through 24 additional tree planting which will help to mitigate both the visual and acoustic impacts of traffic along the slip-road. Mitigation is also proposed in terms of acoustic fencing.</p>

	<p>The Environmental Noise Survey is supplemented by an updated cover note dated July 2022. It states that a review of current traffic flow data indicates that the noise climate at the site is unlikely to have changed significantly since the original date of the report. However, due to a change in the number of homes proposed, a detailed noise break-in review will be required to confirm that the mitigation strategy remains wholly applicable.</p> <p>To confirm, the Environmental Health Team have commented on the proposal and have confirmed they have no objection, subject to a condition requiring compliance with the mitigation measures as set out in the acoustic report.</p>
3.9.5	It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Local Plan; where these can be given weight.
3.9.6	Concerns have been raised regarding the impact of the scheme on nearby occupiers, particularly in relation to the impact of the scheme on occupiers of Greenleas Road. However, it is considered that the impact the proposal may have on these occupiers is not sufficient enough as to warrant refusal in this instance.

3.10 Highways	
3.10.1	This section seeks to appraise the impacts that the proposal may have on the surrounding Highways and Transport Network. Typically, the key issues around Highways and Transport matters in relation to residential developments, such as this, are Highway Safety, Access, Car Parking and Sustainable Transport Options. Policies TRT1, TRT3, TR9 and TR12 of the UDP are relevant in relation to this section. SPD4 is also relevant to this application, which sets out the Parking Standards, which is a detailed matter and would be considered in a subsequent reserved matters application. Consultation has been undertaken with the Highways Team and their comments are considered as part of the commentary below.
3.10.1	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.
3.10.2	Paragraph 110 of the NPPF states <i>“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”</i>
3.10.3	Paragraph 111 of the NPPF states that <i>“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”</i>
3.10.4	Paragraph 112 of the NPPF adds to this and states <i>“Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and</i>

	<p><i>vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and, e) be designed to enable charging of plug in and other ultra-low emission vehicles in safe, accessible and convenient locations."</i></p>
3.10.5	<p>As mentioned earlier, a previous scheme was subject to an appeal, with one of the reasons cited being on highway safety grounds. The inspector in dismissing the appeal stated that the elongated nature of the site and its awkward configuration of the site necessitates confining most of the proposed dwellings to the southern portion of the plot. The Inspector further noted that Greenleas Close ends in a shared surface approximately 30m in length that curves between some six properties. While the use of this section by the traffic generated from the proposed development, might at first sight, appear to meet the guidance in Manual for Streets, it seemed to the inspector that there would be elements in the configuration of the cul-de-sac that would undermine the proper application of that concept. Drivers from almost all of the proposed dwellings would approach the shared surface via a virtually straight stretch of carriage, about 130m in length, and accommodating only 3 fairly modest chicanes. Given the likely tidal nature and low level of traffic, The inspector did not accept that such a configuration would be commensurate with a design speed suitable to appropriately negotiate the shared surface. For these reasons, the inspector considered that the limited level of traffic likely to materialise would not greatly exacerbate road hazards.</p>
3.10.6	<p>The scheme as initially submitted has been revised to accommodate for concerns raised by the Local Highway Authority. The scheme has since been reduced to cater for 14 dwellings, with the roadway and associated street infrastructure proposed being brought in line with adoptable standards. This sees the amended to form a more standard t-junction style cul-de-sac, with a pedestrian access to Leasowe Road providing more direct access to public transport options for pedestrians and cyclists. Therefore, the Local Highway Authority has removed their objection to the scheme and considers that the scheme has been brought up to the standard to satisfy the requirements of Paragraph 111 of the NPPF, subject to conditions. Further to this, as a scheme within the urban fabric, with onward pedestrian and cycle links, in close proximity to public transport services, the scheme can also be considered to comply with paragraphs 110 and 112 of the NPPF.</p>
3.10.7	<p>The Active Travel Officer for WBC has raised concerns, echoed by residents relating to impacts on the School Street (Education Traffic Regulation Order) ETRO at Greenleas Primary School. The active Travel Officer highlights that driving private vehicles into/out of Greenleas Close past the school isn't allowed between 08:30 - 09:30 and 14:30 - 15:30 Monday- Friday unless they have a permit (e.g. residents permit or blue badge). Deliveries are permitted under the ETRO, but ask that the construction crews refrain from performing deliveries via Greenleas Close at these times wherever possible and be mindful for the safety of children being dropped off and picked up from the school on foot. An informative relating to this is recommended to be added to the decision notice, should this application be approved, and it is considered that the impacts on the School Street ETRO should be taken into account in drafting and considering the Construction Management Plan for this proposal.</p>
3.10.8	<p>Subject to the imposition of the suitably worded highway conditions on any grant of consent, it is considered that there would be no grounds to refuse the application</p>

	in relation to highway safety and the proposal would accord with relevant UDP policies.
3.10.9	Representations from interested parties (including Councillors) have been received objecting to the proposal, these have raised the following issues: Impact on physical infrastructure; local highway infrastructure/volume of traffic created by the proposal; highway access concerns; and potential highways safety concerns, particularly in relation to Greenleas Primary School. These concerns are noted; however, it is considered that the proposal's impact on highway and transport matters (including highway safety) is not significant enough as to warrant the refusal of the application, and given the conditions and informatives that are recommended to be appended to the decision notice.

3.11 Drainage and Flood Risk Matters	
3.11.1	This section seeks to appraise the proposal in the context of flood risk and drainage matters. Chapter 14 of the NPPF forming the national planning policy context, Policies WA2, WA5, WAT2. The applicant has submitted the following: Flood Risk and Drainage Strategy; and a Design and Access Statement.
3.11.2	The National Design Guide (September 2019) is also relevant to this element of the report, particularly the section relating to 'resources'. In relation to 'resources' the National Design Guide states "Well designed places: have a layout, form and mix of uses that reduces their resource requirement, including for land, energy and water; are fit for purpose and adaptable overtime, reducing the need for redevelopment and unnecessary waste; use materials adopt technologies to minimise their environmental impact"
3.11.3	Consultation has taken place in relation to surface water drainage with the Lead Local Flood Authority (LLFA) and, as well as consultation with the Environment Agency (EA) and United Utilities (JU) who have differing remits with regards to Flood Risk, Drainage and Water related matters.
3.11.4	Initially the LLFA and EA raised some concerns over the proposed development from a flood risk and drainage perspective. However, following the submission of further information these concerns have been overcome, subject to the conditions appended to this report. There are no other objections from the relevant bodies in relation to this matter.
3.11.5	Concerns have been raised by representors; however, it is considered that the proposal is acceptable, and the drainage impact of the proposal is not significant enough as to warrant the refusal of the application. Further to this, the proposal seeks to introduce a range of drainage solutions e.g. SUDs
3.11.6	Following consideration of the responses of consultees, it is considered that the application has demonstrated that appropriate flood risk, drainage and water related matters can be successfully achieved on site. It is considered that the proposed development would not increase the risk of flooding to the area. The proposals are therefore compliant with the NPPF.
3.11.7	The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and other material considerations, where these can be apportioned weight in relation to surface water drainage matters.

3.12 Ecology	
3.12.1	<p>This section seeks to appraise the proposal and protect and enhance the biodiversity and geodiversity of the district, particularly in relation to its impact on habitats and protected species and, especially those areas designated as of international, national and local importance. Policies NCO1, NC1, NC7 of the Wirral UDP are relevant to this section, as is Section 15 of the NPPF. The following ecological information has been submitted in support of the planning application:</p> <ul style="list-style-type: none"> • Preliminary Ecology Appraisal, Environmental Business Solutions (Rev 01 Dated 15th July 2022)
3.12.2	<p>NPPF, Chapter 15, Paragraph 174 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 180 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments.</p>
3.12.3	<p><i>Habitats</i></p> <p>The habitat on site is dominated by Improved Grassland, areas of scrub and ruderal vegetation are also present. A number of mature trees are also close to the boundary of the Site, with the majority formed by Sycamore along the western boundary, Willow and Cherry trees are also present within the adjacent gardens to the east. A Species Poor hedge consisting entirely of Privett (<i>Ligustrum ovalifolium</i>) is found on the southern edge of the site, along with a regularly mown road verge. The habitats present are common and widespread in Wirral and are not of significant ecological value in their own right. Notwithstanding this, they are suitable to support a number of protected species. The following makes an assessment of their potential for hosting protected species.</p>
3.12.4	<p><i>Amphibians</i></p> <p>The site is isolated in terms of accessibility for Great Crested Newts, there are not considered suitable water bodies within immediate area of the site. Great Crested Newts are recorded within the search area with the nearest being approximately, 1,250m south west of the site and separated by the A551. In addition, Common Toad are recorded within the search area. The nearest being approximately 1,250m south west of the site and however separated by the A551. Therefore, there are no records within the immediate area close to the site.</p>
3.12.5	<p><i>Bats</i></p> <p>A number of trees adjacent to the site have features suitable for use by roosting bats; however, no trees are to be affected by the development, There are records of bats within 2km from the Site, but no records are within 200m. Therefore, Bats are unlikely to be impacted by the development.</p>
3.12.6	<p><i>Birds</i></p> <p>There is suitable nesting habitat in hedgerows and trees onsite, the Ecology Survey therefore recommends that any tree or scrub clearance should be conducted outside of the breeding bird season (March – September). If this is not</p>

	possible then a breeding bird survey should be conducted by a suitably qualified ecologist prior to works commencing. If nesting birds are discovered then the area around the nest shall be isolated and works halted until nesting has finished. A suitably worded condition to secure this is appended to this report.
3.12.7	<p><i>Terrestrial Mammals</i></p> <p>This mainly relates to Badger and Dormouse, the site is considered to be isolated in terms of accessibility to Badger and Dormouse networks and no records within the immediate area. There is therefore not considered to be any impact on Badger and Dormouse.</p>
3.12.8	<p><i>Reptiles</i></p> <p>The site is isolated in terms of habitats that would support reptiles, and there are no records within the immediate area of reptiles. There is therefore not considered to be any impact on Reptiles.</p>
3.12.9	<p><i>Otters and Watervoles</i></p> <p>The site is considered isolated in terms of accessibility to suitable habitats for Otters and Watervoles as there are no suitable water bodies within immediate area of the site, nor are there any records within the immediate area. Water Vole have been recorded approximately 1000m west of the site and however separated by the A554. There is therefore not considered to be any impact on Otters and Watervoles.</p>
3.12.10	<p><i>Designated Sites</i></p> <p>Due to the size of the proposed project, it is not considered that the proposal shall have an adverse effects on designated sites.</p>
3.12.11	The proposal is therefore, subject to conditions, considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with the relevant policies in the Emerging Local Plan.
3.12.12	Representations have been received from interested parties regarding Ecology and Biodiversity matters, including the impact of the proposal on wildlife, protected and non-protected species. These comments have been noted, however it is considered that protected species are not negatively impacted and relevant ecological considerations can be satisfactorily mitigated for through the proposal and the conditions appended to this report.

3.13 Waste Matters	
3.13.1	<p><u>Construction Waste Management</u></p> <p>The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal.</p>

	In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.
3.13.2	<u>Waste Storage and Collection</u> The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan, the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply.
3.13.3	These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, the requirement for a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved The Planning Statement (Strutt & Parker May 2022) indicates parts 1-3 of policy WM9 will be implemented within in the design. This is welcomed and should be secured by a suitably worded condition.

Summary of Decision	Having regards to the individual merits of this application the recommendation to approve Planning Permission, subject to conditions, 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:-
	<p>The redevelopment of this underutilised site within the Primarily Residential Area as identified in the Wirral UDP would make a positive contribution to the local setting, and efficiently help boost the supply of affordable homes in the area. It proposes the development of 14 affordable family homes, in a style and manner that is in keeping with the local character and vernacular.</p> <p>The proposed residential development is sustainably located, allowing easy access to local amenities, businesses and transport links. The proposals include a provision of native planting and landscaping to minimise the potential environmental impact of redeveloping the site.</p> <p>The proposed development is considered to be acceptable and it will not have an unacceptable adverse impact on the amenities of neighbouring properties through overlooking, poor outlook or through the amount of traffic generated or highway safety issues, subject to conditions. The application site is in a sustainable location close to shops and good public transport links. In addition to this, concerns regarding flood risk and surface water drainage have been overcome.</p> <p>The proposal is therefore considered to comply with the relevant Development Plan policy, principally formed by the Wirral Unitary Development Plan Policy; as well as other material considerations, such as the National Planning Policy Framework.</p>

Recommended Decision:	Approval, Subject to the following conditions
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Recommended Conditions and Reasons:

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

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

2. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

- Proposed Street Elevations Dwg No. PL.005(C) Date 05/22 Rev C (Dated 02/12/22)
- Proposed Site Plan 1:200 Dwg No. PL.004(F) Date 05/22 Rev F (Dated 01/03/23)
- Proposed Site Plan 1:500 Dwg No. PL003(J) Date 05/22 Rev J (Dated 01/03/23)
- Location Plan Dwg No. PL.001(A) Date 05/22
- Unit Type 2 – 3B6P House – Plans and Elevations 90% NDSS Dwg No. PL.007-01(C)
- Unit Type 1 – 3B6P House – Plans and Elevations Dwg No. PL.007(E) Date 05/22 Rev E (Dated 01/12/22)
- Unit Type 2a – 3B6P House – Plans and Elevations Dwg No. PL.007.02(A) Date 05/22 Rev A (Dated 01/03/23)
- Proposed Boundary Locations and Details Dwg No. PL.006 Dated 05/22 Rev C (Dated 01/03/23)

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

3. Prior to the commencement of development an Affordable Housing Scheme shall be submitted and approved by the Local Planning Authority in writing. As part of this affordable housing scheme, and this development. At least 20% (At least 3 units) of the development shall form Affordable Housing Units within the development. The affordable housing shall be retained in accordance with the approved scheme

Reason: In order to ensure that a policy compliant level of affordable housing is secured on the site, and in order to comply with Policy HSG2 and HS6 of the Wirral Unitary Development Plan (Adopted 2000), and Section 5 of the National Planning Policy Framework.

4. Prior to development above damp proof course level proposed site levels shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

Reason: In the interests of visual amenity of the area, and in order to comply with Policy HS4 of the Wirral Unitary Development Plan (Adopted 2000) and Section 12 of the National Planning Policy Framework

5. Notwithstanding any description of the materials in the application, no development shall be commenced above damp-proof course levels until samples of the materials to be used in the construction of the external walls and roof(s) of the building(s) have been submitted to and approved in writing by the Local Planning Authority. All roofing and external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development, and in order to comply with Policy HS4 of the Wirral Unitary Development Plan (Adopted 2000) and Section 12 of the National Planning Policy Framework

6 Windows identified as obscure glazing in the approved drawings, shall be installed as such before the proposed dwellings are brought into use and shall not be altered, and maintained as such in perpetuity. This shall be level 4 obscurity or above.

Reason: In the interests of residential amenity and in order to avoid any overlooking or loss of privacy that may have resulted, in accordance with Policies HS4 of the UDP and section 12 of the National Planning Policy Framework.

7 The development shall be carried out in accordance with the submitted flood risk assessment (ref: November2022/HYD779_GREENLEAS.CLOSE_FRA&DMS REV1.0 FINAL/Betts Hydro Consulting Engineers) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.00 metres above Ordnance Datum (AOD)
- Incorporation of flood resilience and resistance measures and materials into the developments design and construction.
- Safe access and egress from the site during all flood event scenarios.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and in accordance with Policies WA2 and WA5 of the Wirral Unitary Development Plan (Adopted 2000), and Section 14 of the National Planning Policy Framework

8 Prior to the commencement of development, a Construction and Environmental Management Plan shall be submitted to and approved in writing by The Local Planning Authority. The provisions of the Construction and Environmental Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety and to comply with Policies HS4, WA2, WA5, TRT3 of the Wirral Unitary Development Plan (Adopted 2000), and Section 9 of the National Planning Policy Framework

9. Prior to the removal of the existing footway a full scheme of works for the reinstatement to standard footway levels of the existing vehicle access on Leasowe Road from the highway that is rendered obsolete by the development shall be submitted and approved in writing by the LPA. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme.

Reason: In the interest of highway safety and to comply with Policy HS4 of the Wirral Unitary Development Plan (Adopted 2000), and Section 9 of the National Planning Policy Framework

10. No development, except for site enabling works including site clearance, groundworks, and foundations, shall commence until a full scheme of works and timetable for the construction of the new highways and/or amendment of the existing highway made necessary by this development, including new carriageways, footways, street lighting, surface water drainage, traffic signs, road markings, traffic calming, tactile paved pedestrian crossings, street furniture, access onto the adjacent highway. The approved works shall be completed in accordance with the LPA written approval prior to occupation of the development.

Reason: In the interest of highway safety and to comply with Policies HS4 and TR3 of the Wirral Unitary Development Plan (Adopted 2000), and Section 9 of the National Planning Policy Framework

11. Any tree or scrub clearance shall be conducted outside of the breeding bird season (March – September). If this is not possible then a breeding bird survey should be conducted by a suitably qualified ecologist prior to works commencing. If nesting birds are discovered, then the area around the nest shall be isolated and works halted until nesting has finished.

Reason: To maintain the favourable conservation status of protected species and comply with Policy NC7 of the Wirral Unitary Development Plan (Adopted 2000), and Section 15 of the National Planning Policy Framework

12. All construction activities shall comply with general environmental best practice measures including:

- the measures set out in the Environment Agency’s Pollution Prevention Guidelines;
- excavations should be sealed overnight or should have at least one shallow sloping side allowing animals to escape should they fall in;
- an ecologist shall be contacted for advice should any protected species be discovered during construction; and,
- appropriate measures to suppress dust should be put in place during hot, dry, or windy weather;
- broadleaved trees, hedgerows and the ruderal vegetation on site are suitable to be used by nesting birds. Therefore, vegetation removal should be undertaken outside of the breeding bird season (which is from March to August inclusive). If this is not possible, a suitably experienced ecologist should check the habitat for breeding bird activity no more than 48 hours before clearance. If nesting activity is found, it will need to be left in situ until the nesting effort has been completed.

Reason: To maintain the favourable conservation status of protected species and in accordance with Section 15 of the National Planning Policy Framework, and comply with Policy NC7 of the Wirral Unitary Development Plan (Adopted 2000),

13. Prior to development reaching damp-proof course level and installation of landscaping features a Biodiversity Enhancement Plan (including stock details and quantities) demonstrating a Biodiversity Net Gain will be provided to the LPA for approval in writing, and should include clearly marked-up plans showing:

- bat and bird nesting boxes; and,
- the creation of habitats through planting of native trees and hedgerows.

The approved plan shall be fully implemented as approved.

Reason: to maintain the landscape and biodiversity value of the site and comply with Policy NC7 of the Wirral Unitary Development Plan (Adopted 2000) and comply with Section 15 of the National Planning Policy Framework.

14. 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 Drainage Layout shown on:

- 23010-AJF-ZZ-ZZ-DR-D-001 dated January 2023 – Proposed Foul & Surface Water Drainage Layout – Sheet 1 / by AJF Structural Engineering; and,

- 23010-AJF-ZZ-ZZ-DR-D-002 dated January 2023 – Proposed Foul & Surface Water Drainage Layout – Sheet 2 / by AJF Structural Engineering.

For the avoidance of doubt, the surface water discharge rate from the development shall be no more than 2.0 l/s.

The approved scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved Sustainable Drainage Strategy (shown on the Drainage Layout drawings), 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.

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.

Informatives

1. In order to fulfil the highway condition, it will be necessary to enter into a legal agreement with the Council to secure the works under the Highways Act and/or the New Roads and Streetworks Act. The agreements would include details of the works to be carried out including all necessary new carriageways, footways, street lighting, surface water drainage, traffic signs, TRO's, road markings, traffic calming, tactile pedestrian paved crossings, street furniture.

2 Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council Highway Management team area manager via www.wirral.gov.uk prior to the commencement of the works for the approval of the proposed details.

Last Comments By:	
Expiry Date:	17 th March 2023

