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Town Hall  
Trinity Road  
Bootle  
L20 7AE

Date: 15 March 2022  
Our Ref:  
Your Ref:

**Please contact:** Ruth Appleby /  
Ian Barton

**Contact Number:** 0151 934 2181 / 2788

**e-mail:** [ruth.appleby@sefton.gov.uk](mailto:ruth.appleby@sefton.gov.uk) /  
[ian.barton@sefton.gov.uk](mailto:ian.barton@sefton.gov.uk)

Dear Councillor

## **PLANNING COMMITTEE - WEDNESDAY 16TH MARCH, 2022**

I refer to the agenda for the above meeting and now enclose the following report(s) which were unavailable when the agenda was published.

<b>Agenda No.</b>	<b>Item</b>	
1.	<b>Late Representations/Information</b>	(Pages 3 - 8)

Yours sincerely,

D.Johnson

Chief Executive

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## Planning Committee: 16<sup>th</sup> March 2022 Late Representations/Information

### Appendix 4

#### Item 4A

#### DC/2021/00123: 90 Roe Lane, Southport

Additional representations received objecting to the proposal.

Representation received from Number 103 Balmoral Drive stating that the side extension with flat roof would not enhance or conserve No 90 Roe Lane. Also states that the existing building is in the region of 200 years old and does not date from the 1840s as previously suggested by Historic England and within the heritage statement. Further, it was never used as a farm contrary to arguments previously presented. This cottage needs maintaining in the first instance before it is wiped off the map and lost forever.

Representations from Landor Planning Consultants. Comments made in respect of the publicly available comments made by the Council's conservation officers. Also states that "this planning application has been under consideration for 13 months since 1 February 2021, well in excess of the statutory time period ... As the application proposal is clearly in conflict with the development plan, a delegated decision to refuse planning permission ought to be issued without further delay. Any decision contrary would be open to legal challenge."

Add condition:

*"Prior to the commencement of development of either dwelling above slab level, a detailed scheme of works (including a timetable) for the installation of Yorkshire Sliding Sash windows shall be submitted to and agreed in writing by the Local Planning Authority. The windows shall be installed in accordance with the agreed timetable.*

*Reason: To reflect the visual interest of the original cottage which is identified as a Non-Designated Heritage Asset"*

# Agenda Item 8

## Appendix 5

### Item 5A

#### DC/2021/00887: Land North Of Kenyons Lane , Lydiate

(a) Additional objections received from 3 local residents raise the following points:

- Inadequate time for residents to respond to considerable amount of documentation some of which added to the website after the deadline for comments
- Why is the planning department under pressure to report the application to the March committee?
- The value of the Morton's Dairy site in its current use far exceeds its value as a development site so unlikely to be developed. Plans are therefore a misrepresentation and should be rejected as retention of the dairy with a new housing estate will significantly add to the traffic on Kenyons Lane
- Drainage issues are not fully addressed. The local drainage infrastructure is already inadequate and removal of the storage volume provided by the field will impact on the surrounding area.
- Access onto Kenyons Lane is a silly idea and there should either be a slip road arrangement off the A59 or an access from Robbins Lane roundabout
- Bellway's proposal for septic tanks is not practical and could be solved by providing a path to allow access and, in the longer term, provide a fully integrated network for foul sewage to include properties on Liverpool Road
- High density urban style of development is damaging to the character of the area and does not meet the 2021 design guidance
- No need for more houses as area already over-populated with lack of medical facilities and schools
- Will there be any affordable housing?
- Residents were expecting to be able to speak at Planning Committee

(b) The Highways Manager has provided the following response to the residents' concerns on highway matters:

Land north of Kenyon's Lane is a site allocated for housing within the Council's Local Plan that has site specific development requirements identified in Appendix 1 of the Local Plan. One of these requirements is highways related and stipulates that the development of this site must include the widening of Kenyon's Lane to provide a two lane approach to the junction with the A59. This requirement does not state that the development must have a direct access onto Kenyon's Lane.

Nevertheless, given the size of the site allocation and the proposed development, there would be the expectation that multiple points of access are provided. Developments with 200 or more dwellings would be expected to have multiple points of access in

order to provide suitable emergency access arrangements, adequate connectivity with the existing highway network and better distribution across the network.

An assessment has been carried out of the proposals submitted, which are for two site accesses, from Kenyon's Lane and from Liverpool Road. It has not been proposed, but even if an access to the site was provided direct from the A59 Robbins Island, there would still be a requirement for at least one other point of access. This would likely need to be from Kenyon's Lane in order to provide suitable permeability for the site and better distribution of traffic. An access from the A59 at Robbins Island would more likely be in place of the proposed Liverpool Road access rather than Kenyon's Lane.

In common with the majority of residential streets across the Borough Kenyon's Lane is subject to a 20mph speed restriction though Kenyon's Lane also has physical measures in place that are aimed at keeping traffic speeds low and improving pedestrian facilities. The proposed access onto Kenyon's Lane and the alterations to the Kenyon's Lane junction with the A59 will include improved pedestrian facilities in the area and retain speed reduction measures.

The Department for Transport previously issued guidance in 2007 for development stakeholders to assist in determining whether a transport assessment may be required as part of a development proposal and, if so, what the level and scope of that assessment should be. This guidance related to the Planning Policy Guidance Note 13: Transport (PPG13). Following the introduction of the NPPF, no further advice for transport assessments have been published. Whilst the 2007 guidance relates to PPG13, the principles of the requirements of any transport assessments are still considered appropriate.

The guidance gives details on the level and scope the assessment should be and provides guidance on the content and preparation of any Transport Assessment. These details include when junction capacity assessments are appropriate. It indicates that any capacity assessments should include a review that is no less than 5 years from the application date. Which for this site is 2026. The 2026 reviews included with the Transport Assessments (TAs) and Technical Note (TN) for this application have used the software package TEMPRO to forecast the background traffic growth for the years up to and including 2026. They have used the industry standard TRICS software to estimate the traffic generation from the completed site, based on a figure of 331 dwellings, higher than the 291 proposed and reviewed and identified any additional traffic generation from other on-going or committed developments within the Maghull and Lydiate areas. TEMPRO, within its growth figures, factors in a proportional increase relating to committed and future development and therefore given that the applicant had used both TEMPRO and additional reviews for other on-going or committed developments within the Maghull and Lydiate areas, there is an element of double counting of future traffic generation. This double counting and the additional 40 dwellings in TRICS forecasts provides a robust assessment of the traffic generation and its subsequent impact on the highway network.

# Agenda Item 8

Also, in terms of the capacity assessments provided by the developer, they have been reviewed in conjunction with the Council's own reviews as part of the proposed improvement scheme to the A59/Kenyon's Lane signal controlled junction.

(c) The following response is made to the residents' concerns on drainage issues:

## **Flood Risk and Drainage**

The Lead Local Flood Authority (LLFA) reviewed the developer's revised Flood Risk Assessment report, Revision Number 5 of March 2022. The proposed surface water drainage strategy will involve:

- 1) Run-off from the building roofs and adopted roads will be directed via piped gravity drainage systems to 3no. geo-cellular infiltration tanks (soakaways) located beneath an area of open space in the centre of the site. This is in accordance with National Planning Policy Framework and Local Plan Policy EQ8 - Flood Risk and Surface Water, requiring surface water discharge to be targeted in a sequential approach, with discharge into the ground (infiltration) being at the top of the hierarchy. This proposal means there will be no direct impact outside as no run-off is discharged into the existing surface water drainage infrastructure outside the site.
- 2) Permeable surfacing will be used on driveways and private shared access roads.
- 3) The drainage system will be designed to accommodate storm events up to and including the 1 in 100-year plus 40% Climate Change event. A half drain time of less than 24 hours is achieved for the 1 in 30 year event in accordance with CIRIA C753 – The SuDS Manual design guidance.

## **Septic Tanks**

The LLFA had discussions on Wednesday 9<sup>th</sup> March 2022 with United Utilities (UU) Development Engineer regarding the Septic Tanks serving some of the properties backing the site from Liverpool Road. Bellway have offered to receive and take foul flows from these existing properties into the foul infrastructure of the new development, thereby allowing the existing septic tanks to be abandoned. It is proposed that Bellway will install a new inspection chamber just inside the boundary of each property which is looking to have the option of connecting to the mains sewer within the new development. Bellway propose to survey the existing foul drainage within the existing properties' rear gardens to ensure the new chamber is installed at a level that ensures a gravity connection is achievable. Once installed, the individual property owners will be required to arrange for the design and construction of suitable gravity drainage to connect to the new inspection chamber within their ownership boundary.

The UU Engineer's view was that this is feasible and UU would adopt the system if the foul drain in the resident's back garden is designed and laid in accordance with the Sewerage Companies Design and Construction Guide for foul and surface water sewers.

# Agenda Item 8

Once the residents have laid and connected their foul drain to the demarcation manhole, they can make a Section 102 application to have the system adopted by UU.

The LLFA finds the Flood Risk and Drainage proposal as outlined above is acceptable and the Bellway offer to residents of Liverpool Road in relation to the Septic Tanks if implemented will benefit the residents in many ways.

(d) Update condition 2 to incorporate the latest drainage drawing numbers 13176-2001 rev R06 Outline Drainage Layout (1 of 2) and 13176-2002 rev R06 Outline Drainage Layout (2 of 2)

(e) Amend condition 13 to incorporate the latest drainage drawing numbers 13176-2001 & 13176-2002, both Rev R06 and dated 04/03/22.

(f) Change last part of condition 20 by deleting the last two bullet points and replace the following sentence:

“No part of the development shall be brought into use until the required highway works have been constructed in accordance with the approved details”.

With:

“The required highway works shall be implemented in accordance with a timetable to be submitted to and approved in writing by the local planning authority.”

(g) Add to Section 106 legal agreement requirements:

- A financial contribution of £471,000 towards off-site highways improvement works (namely the widening of Kenyons Lane and the priority junction on Kenyons Lane - formerly the last two bullet points of condition 20). The developer is willing to pay the full amount on commencement of development and therefore it will be possible for these works to be progressed within a suitable timescale.

(h) Combine conditions 25 and 28 (boundary treatment) by deleting condition 28 and amending condition 25 to read:

25) Prior to the first occupation of any dwellings within a particular phase, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected, including acoustic barriers to be provided within the site, shall be submitted to and approved in writing by the local planning authority. Where acoustic fencing is not required, a gap of 13cm by 13cm shall be shown within the base of each length of boundary fencing serving the respective plot in order to maintain connectivity for hedgehog. The boundary treatment shall be completed as approved before the dwellings become occupied and retained thereafter.

Reason: To ensure an acceptable visual appearance to the development, to protect the living conditions of future occupiers of the site, to ensure that the privacy of

# Agenda Item 8

neighbouring occupiers/land users is retained at all times and to secure biodiversity enhancement.

- (i) Re-number conditions 29, 30 and 31 to become conditions 28, 29 and 30 to account for the deletion of condition 28.

## Item 5B

### **DC/2021/01452: 25 Weld Road, Birkdale Southport**

It is recommended that condition 3 be amended to read:

*No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include the following:*

- *Construction management plan*
- *Details of any proposed piling (including method, hours of operation, noise and dust control, measures to inform residents)*

*REASON: To safeguard the living conditions of neighbouring/adjacent occupiers and land users during both the demolition and construction phase of the development.*

## Item 5C

### **DC/2021/02372: 175 Linacre Road, Litherland**

Additional condition to be added:

#### *Condition*

*A scheme of sound insulation to protect the residents of the 1st floor flat above shall be submitted to and approved in writing by the Planning Authority. The agreed scheme shall be implemented in full prior to first occupation of the commercial units and retained thereafter.*

#### *Reason*

*To safeguard the living conditions of adjoining properties.*