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MEETING: PLANNING COMMITTEE
DATE: Wednesday 15 January 2025
TIME: 6.30 pm
VENUE: Assembly Hall - Bootle Town Hall, Trinity Road, Bootle, L20 7AE

Member

Cllr. James Hansen (Chair)
Cllr. Brenda O'Brien (Vice-Chair)
Cllr. Tony Brough
Cllr. Mike Desmond F.R.C.A.
Cllr. John Dodd
Cllr. Joe Johnson
Cllr. John Kelly
Cllr. Sonya Kelly
Cllr. Steve McGinnity
Cllr. Daniel McKee
Cllr. Christopher Page
Cllr. Carol Richards
Cllr. Michael Roche
Cllr. Lynne Thompson
Cllr. Joanne Williams

Substitute

Cllr. Leslie Byrom C.B.E.
Cllr. Janet Grace
Sir Ron Watson
Cllr. Jim Conalty
Cllr. Mike Sammon
Cllr. Nina Killen
Cllr. Susan Bradshaw
Cllr. Dave Robinson

Cllr. Carla Thomas
Cllr. Karen Cavanagh
Cllr. Tom Spring
Cllr. Danny Burns
Cllr. Mike Sammon
Cllr. Ian Maher

COMMITTEE OFFICER: Ian Barton Democratic Services Officer
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If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

A G E N D A

1. Apologies for Absence

2. Declarations of Interest

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer by 12 Noon the day before the meeting to determine whether the Member should withdraw from the meeting room, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

3. Minutes of the Previous meeting (Pages 3 - 6)

Minutes of the meeting held on 11 December 2024.

4. Applications for Planning Permission - Approvals

A DC/2024/01890 - Strand Shopping Centre, Stanley Road, Bootle (Pages 7 - 44)

Report of Chief Planning Officer.

5. Planning Appeals Report (Pages 45 - 56)

Report of Chief Planning Officer.

6. Visiting Panel (Pages 57 - 58)

Report of Chief Planning Officer.

THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

PLANNING COMMITTEE

MEETING HELD AT BOOTLE TOWN HALL ON 11 DECEMBER 2024

PRESENT: Councillor Hansen (in the Chair)

Councillors Brough, Desmond, Dodd, Johnson,
John Kelly, Sonya Kelly, McGinnity, McKee,
Christopher Page, Richards, Roche, Thompson and
Williams

ALSO PRESENT: Councillor Veidman

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor O'Brien and Councillor Grace (Substitute Member).

55. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declaration of a personal interest was made and the Member remained in the room during the consideration of the item:

Member	Minute No.	Nature of Interest
Councillor Johnson	Minute No.57 – DC/2024/01492 Land At Pendle Drive, Litherland	He had attended an on-line meeting involving the applicant but considered that this would not affect his decision on the application.

56. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 13 November 2024 be confirmed as a correct record.

57. DC/2024/01492 LAND AT PENDLE DRIVE, LITHERLAND

The Committee considered the report of the Chief Planning Officer recommending that the above application for the erection of a Use Class E foodstore with new vehicular access/egress to Pendle Drive, new internal

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vehicular access road, car parking, servicing area, and hard and soft landscaping, following demolition of existing site structures be granted, subject to the conditions and for the reasons stated or referred to in the report.

RESOLVED:

That the recommendation be approved and the application be granted, subject to the conditions and for the reasons stated or referred to in the report and in Late Representations and subject to the Chief Planning Officer being given delegated authority to finalise detailed highways requirements specifically in relation to the Gorsey Lane/Pendle Drive junction, and a Section 106 legal agreement in relation to highways works, a Travel Plan and an Employment Skills and Development Plan.

58. DC/2024/01644 THE CLOISTERS, HALSALL LANE, FORMBY

The Committee considered the report of the Chief Planning Officer recommending that the above application for the change of use from a cafe (Class E) to a hot food takeaway (Sui Generis) and alterations to the front and rear elevations be granted subject to the conditions and for the reasons stated or referred to in the report.

RESOLVED:

That the recommendation be approved and the application be granted subject to the conditions and for the reasons stated or referred to in the report and in Late Representations.

59. DC/2023/01277 LAND TO THE EAST AND WEST OF WEST LANE, FORMBY

The Committee considered the report of the Chief Planning Officer recommending that the above application for the erection of 89 no. dwellings (C3), one six-bedroom block of supported living accommodation (C2), a new sports pavilion with associated vehicle parking, new vehicular access from West Lane and landscaping and ancillary infrastructure following demolition of existing buildings be granted, subject to the conditions and for the reasons stated or referred to in the report.

RESOLVED:

That, subject to there being no objection from Natural England and to the signing of a section 106 legal agreement, the recommendation be approved and the application be granted, subject to the conditions and for the reasons stated or referred to in the report and in Late Representations.

60. APPEALS REPORT

The Committee considered the report of the Chief Planning Officer on the results of the undermentioned appeals and progress on appeals lodged with the Planning Inspectorate.

Appellant	Proposal/Breach of Planning Control	Decision
Mr. G. Fleet	DC/2024/00442 (APP/M4320/W/24/3345419) - 41 Durham Road Seaforth L21 1EF - appeal against refusal by the Council to grant Planning Permission for the change of use from retail unit and maisonette to 2 flats.	Dismissed 12.11.24
Mr. P. Brereton	DC/2021/01383 (APP/M4320/W/23/3332119) - 90 Gores Lane Formby Liverpool L37 7DF - appeal against refusal by the Council to grant Planning Permission for the erection of one padel court with floodlights (Alternative to DC/2021/00304 withdrawn 27/04/21).	Allowed 06.11.24
Miss. A. Westhead Mr. J. Parker	EN/2023/00495 (APP/M4320/C/23/3333707) - End Cottage 4 Mount Cottages Prescott Road Melling L31 1AR - appeal against refusal by the Council to grant Planning Permission for, without planning permission, a raised timber deck including an outbuilding which had been erected, in the approximate position shown coloured blue on Plan No. 2.	Dismissed 05.11.24

RESOLVED:

That the report be noted.

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61. VISITING PANEL

The Committee considered the report of the Chief Planning Officer which advised that the undermentioned sites had been inspected by the Visiting Panel on 9 December 2024.

Application No.	Site
DC/2024/01492	Land At Pendle Drive, Litherland
DC/2024/01644	5 The Cloisters Halsall Lane, Formby
DC/2023/01277	Land To The East And West Of West Lane, Formby

RESOLVED:

That the report on the sites inspected by the Visiting Panel be noted.

Report of: CHIEF PLANNING OFFICER Derek McKenzie

Report to: PLANNING COMMITTEE **Date of Meeting:** 15 January 2025

Subject: **DC/2024/01890**
Strand Shopping Centre, Stanley Road, Bootle

Proposal: Redevelopment and change of Use Class E to Use Class E, F1, F2 (b) and Sui Generis (public houses, wine bars, or drinking establishments, drinking establishments with expanded food provision hot food takeaways off the premises) with external alterations including partial demolition and landscaping.

Applicant: Sefton Council **Agent:** Mr. Danny Cremen
Avison Young

Ward: Linacre Ward **Type:** Local Authority application

Reason for Committee Determination: Discretion of the Chief Planning Officer

Summary

The Strand Transformation project is an important regeneration opportunity in Bootle to remodel The Strand shopping centre and this has attracted significant Central Government funding. The project would be delivered over a number of phases and this application seeks the redevelopment and change of use of the former M&S building, significant landscaping, and elevational changes to part of The Strand.

The main issues to consider include the principle of development, proposed uses, landscaping, access and highways, inclusive design and accessibility, living conditions, sustainability, environmental considerations and other matters.

The proposal complies with the adopted local plan policy and, in the absence of any other material considerations, the application is recommended for approval subject to conditions.

Recommendation: Approve with Conditions

Case Officer Catherine Lewis

Email planning.department@sefton.gov.uk

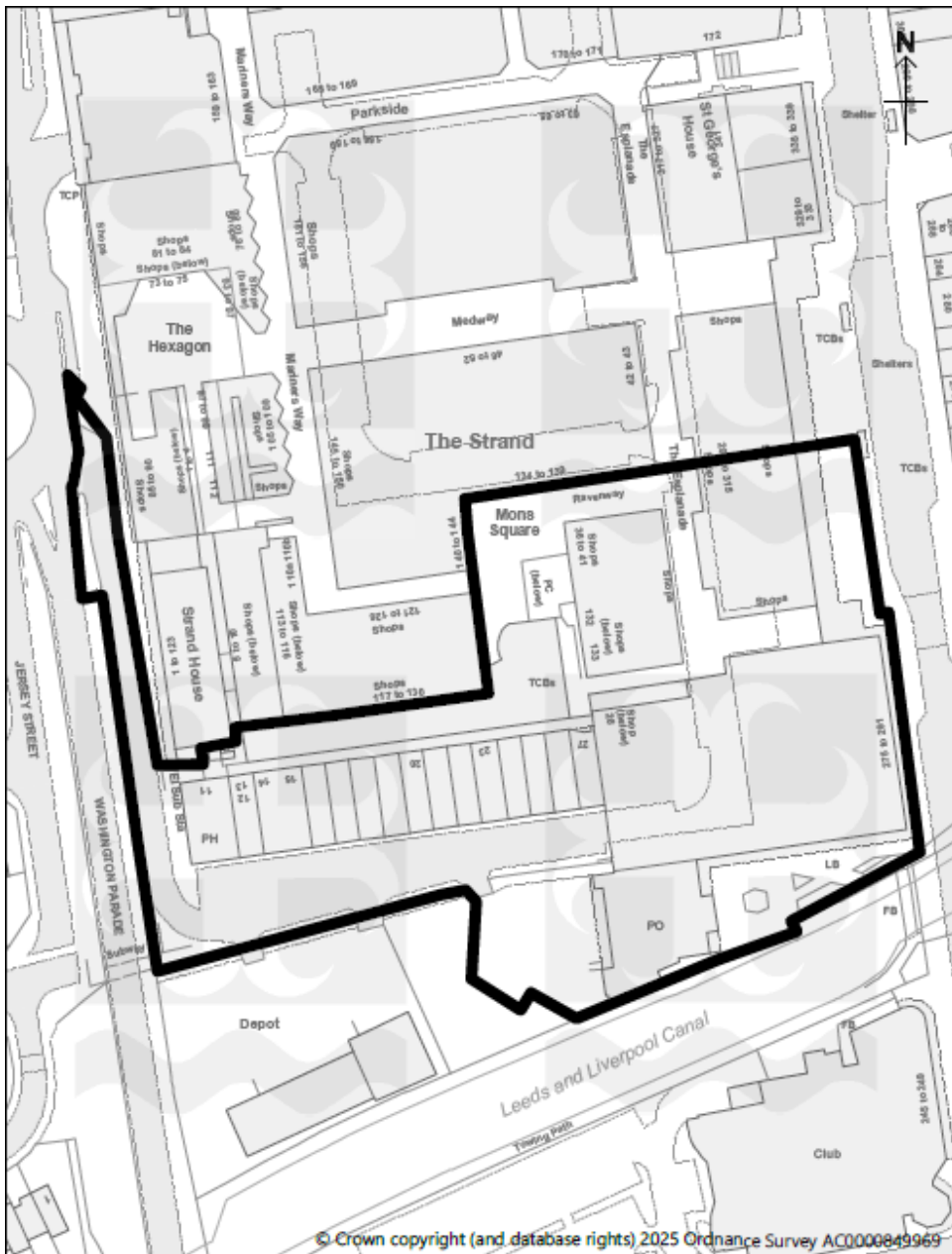
Telephone 0345 140 0845

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Application documents and plans are available at:

<https://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SLP8LZNW08N00>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 06/01/2025
Scale: Scale: 1:1250
Created by: Initials

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The Site

The Strand is the major shopping centre in Bootle Town centre and comprises a brick and concrete building constructed of precast concrete blocks with glass windows and external metal shutters. The centre site lies between two main roads, Washington Parade to the west and Stanley Road to the east.

The application site is located to the southern part of The Strand and includes a small part of Salt and Tar, a temporary events space. To the west of the site lies Strand House a residential apartment block of approximately 79 flats. The Leeds and Liverpool Canal forms the southern boundary and to the north the majority of the Shopping Centre which does not form part of this current application.

History

Background

Sefton Council purchased Bootle Strand Shopping Centre in 2017 as a key part of its plan to regenerate the town centre. In 2020, Sefton Council Cabinet approved the need to develop a strategy to enable the long-term sustainability of the shopping centre, with a programme known as 'Strand Transformation'.

The Strand Transformation project is scheduled to be implemented over five phases between 2023 and 2031. Planning permission was granted last December as part of enabling works (Phase 1) of the wider regeneration project which involves the demolition of 5,755m² of the Strand (Ref: DC/2023/01735).

Details to address conditions 3, 4, 5, 6 and 7 of the permission for demolition are currently under assessment.

The applicant has previously submitted a request for a 'screening opinion' to determine whether the development requires an Environmental Impact Assessment (EIA Development). The decision was made, under application reference DC/2023/01829, that an Environmental Statement was not required.

Consultations

Air Quality Manager

No objection subject to a condition to manage dust from construction.

Active Travel England

Request a deferral whilst additional information on travel plan targets, access points, how well the site is connected to current and future travel provision in Bootle and details of increased cycle parking.

Architectural Police Liaison

No objection

Canal And River Trust

No objection subject to conditions to require a risk assessment and method statement for works adjacent to the canal, details to control the canal edge and frontage.

Cadent Gas

No objection -Informative to be added about close proximity of their infrastructure.

Conservation

No objection

Contaminated Land Team

No objection- standard conditions.

Environment Agency

No objection subject to conditions.

Environmental Health

No objection subject to conditions about a CEMP, hours of use of play area, clarification of HGV's and delivery strategy, lighting condition, odour and smoke control for units.

Flooding & Drainage

No objection subject to conditions

Highways Development Design

No objection subject to conditions

Local Plans

No objections – Whilst the proposal could result in a loss of retail units on a primary retail frontage, the benefits of securing new uses in the retained block outweigh the loss of any retail

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units. The proposal would support the emerging Bootle Area Action Plan.

MEAS

No objection subject to conditions to control biodiversity, bird and bat boxes, lighting and sustainability measures.

Sefton@work

No comments received.

Network Rail

No comments received.

UU

Object-as features appear to be located above the sewer.

Waste and Cleansing

No comments received.

Neighbour Representations

Four site notices have been posted, (expired 25.11.2024) together with a newspaper advert in the Metro (expired 30.10.2024) and 487 neighbour letters (expired 17 November 2024). Two letters of representation have been received which make the following summarised points: They generally support and welcome the proposal but queried the following:

- A lot of cladding which could become a maintenance issue and does not age well.
- Potential for anti-social behaviour – has queried this but answers were ambiguous.
- Swirling winds and health and safety issue
- Washington underpass needs to be addressed too.
- Small ground beside Bootle Library not been put forward and this would benefit from improvement.

The applicant has advised that the management of the shopping environment including materials would be addressed through a Management and Servicing plan. The issue of antisocial behaviour and the impact of swirling winds is addressed in the report. The underpass and the ground adjacent to Bootle Library are not covered by the current application but these areas may be addressed through wider projects.

Following the submission of revised information and clarifying the description of the application, statutory consultees were consulted again (expires 09.01.2025) and neighbours were renotified (expires 10.01.2025). Four site notices have been posted (expires 9.01.2025) and an advert has been placed in the newspaper. Any comments will be reported to Members before the committee meeting.

Policy Context

The application site lies within an area designated as a regeneration area under policy ED6 and is subject to policy ED2 'Retail frontages' in the Sefton Local Plan which was adopted by the Council in April 2017.

The site is also within the area covered by the draft Bootle Area Action Plan which sets out a vision for the town over the next 20 years. Although in draft form, in accordance with Paragraph 49 of the National Planning Policy Framework (Dec 2024), some weight can be attributed to this document.

Assessment of the Proposal

The Proposal

1.1 Planning permission is sought for the repurposing of The Strand shopping centre and includes the following elements:

- Refurbishment and reconfiguration of the former M&S unit (Block A) to provide 6 individual units and community space - (Use Class E, F1 F2(b)) and Sui Generis uses (this terms means a use of its own kind and in this application comprises public houses, wine bars, or drinking establishments, drinking establishments with expanded food provision hot food takeaways off the premises), with some minor modification to the lower ground floor and enhancement of the elevations.
- Elevational changes to part of Block B
- Public Realm and landscaping enhancements including:

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- Creation of a new town square
- Sloped access and stepped terraces from Stanley Road to link and provide pedestrian access to the Canalside and interface with Salt and Tar events space.
- Hard and soft landscaping
- Mons Square canopy to be retained.
- Street furniture including but not limited to benches and lighting.
- Enhancements to existing pedestrian and cycle connectivity

1.2 The application site boundary ensures that the proposal would merge with, but does not include the majority of, the Salt and Tar events space. The Salt and Tar space is located to the southwest of the site and would continue to operate under a separate temporary planning consent (app ref: DC/2023/00596).

Statement of Community Involvement

1.3 The application is accompanied by a Statement of Community Involvement which advised that pre- application consultation took place between Thursday 29 August and Thursday 19 September 2024. Two drop in events, within the existing Strand shopping centre were held to give people the opportunity to ask questions direct to the project team. Other key consultation events included a Webinar and also a dedicated consultation website which facilitated feedback.

1.4 The main concerns related to the Mons Square canopy, maintenance of the landscaped areas, queries about the proposed use of the former M&S Building including food and drink options, co-working spaces and entertainment venues. The current submission has included some of the suggestions made during the consultation, for example bright colours, further accessible points for prams and wheelchairs and flexible uses within the former M&S Building.

1.5 The design process has also been subject to two design reviews by the independent Places Matter Panel (Places Matter is an organisation devoted to generating a strong sense of place in living, working and leisure environments throughout the Northwest). Several design responses were commissioned, specifically addressing the comments raised by the Panel and amending certain aspects of the design. These include the introduction of colour to the new shop frontages, simplifying the public realm in terms of materials, reducing wall heights where appropriate, and seeking to provide improved play space.

Assessment of the proposed details

1.6 The main issues to be considered in respect of the current application are: the principle of development, proposed uses, landscaping, access and highways, inclusive design and accessibility, living conditions, sustainability, environmental considerations and other matters.

Principle of Development

2.1 The application site is designated as a regeneration area under policy ED6 of the Sefton Local Plan. Block A (formally M & S) is a vacant retail space, and the proposal would provide for a mixture of town centre uses including retail, food and drink and cultural /exhibition space. Elevational changes are proposed for Block B and there would be extensive enhancement of the external spaces between Block A and Block B leading to the canal side.

2.2 Public realm is generally defined as the publicly accessible spaces between buildings which enable people to move around and interact. The application site forms part of the wider shopping centre, and the proposals would enhance the function, quality and character of the place and would result in the provision of a high-quality mixed-use development including open space and public realm.

2.3 One of the aims (paragraph 135) of the National Planning Policy Framework (NPPF) is to ensure that 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. The application proposals would result in the next phase of regeneration and transformation of the Strand and would be consistent and compatible with the aspirations of national planning policy. Therefore, the principle of the development is in accordance with policy ED6, the aspirations of the Bootle Area Action Plan and the aims of the National Planning Policy Framework.

Proposed Uses

3.1 The site is located within Bootle Town Centre, the Primary Shopping Area and the primary retail frontage as defined in the Sefton Local Plan. Within Primary Shopping Areas, proposals for non-retail uses compatible with a town centre location will be permitted providing that the overall retail function of the Centre would not be undermined; the use would make a positive contribution to the overall vitality and viability of the Centre; and it would not result in an unacceptable cluster of non-retail uses.

3.2 The Stanley Road ground floor plan for Block A includes 6 new Retail units (includes Food and Beverage, leisure) totalling approximately 713m², a larger community/3rd sector space (which includes voluntary and community organisations both registered charities and other associations) of 1,328m², with a further 495m² of cultural/ exhibition space. A small area of approximately 340m² in the lower ground floor (southwest corner) will be repurposed to give an active frontage behind the proposed glazed façade at the level of the canal and Salt and Tar event space.

3.3 Whilst this proposal could result in a loss of retail units on the primary retail frontage, the Local Planning Manager has advised the benefits of securing new uses in the retained block (which has largely been vacant since Marks and Spencer closed) outweighs the loss of any retail units.

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3.4 Applications within primary frontages in the town centres shown on the Policies Map which would result in the loss of an active ground floor use will not be supported. This proposal would increase the number of active frontages on the retained block so is acceptable in this regard.

3.5 Use Class E provides for a wide range of uses including retail, office uses, medical or health services, indoor sport and recreation, day nursery or day centre. The description change from solely Class E to include Class F1 provides for a wider range of uses including education, exhibition halls and public worship and instruction. The inclusion of Class F2(b) provides for local community groups and the proposal also seeks permission for drinking establishments and hot food takeaways.

Elevational Treatment

3.6 With regard to design, Local Plan policy EQ2 requires that new development responds positively to the character, local distinctiveness and form of its surroundings and in areas of lesser quality the development should enhance the character of the area rather than preserve or reproduce negative aspects of the existing environment. Furthermore, the policy requires key views of townscape, including landmark and gateway buildings, and important landscape features to be retained or enhanced.

3.7 The Strand shopping centre built in 1968 embraced brutalist architecture and the approach to design is to retain the brutalist nature of the Block A whilst balancing any new architectural openings in the facades. The strategy includes retaining and cleaning the existing concrete cladding panels of the façade and over cladding the lower and upper floor of the building with Corten effect aluminium panels and the second floor with black GRC panels. The cleaned concrete will act as a canvas to promote future events and artwork by artists.

3.8 The existing canopy will be cleaned and retained with Corten detailing on the soffit. The Corten detailing would extend to the shopfronts, wrapping the black powder coated aluminium framed shopfront with a lit recessed detail.

3.9 The northern shopfront addresses the lack of colour that surrounds Mons Square, as suggested by the review of the design by the Places Matter Panel. The series of pastel shopfronts consist of three colours of powder coated aluminium rainscreen cladding panels with coloured powder coated aluminium frames and aluminium louvres above. Each shop will include an external projecting bus stop type signage, with internally hung signage presented behind the glazed panels.

3.10 Other potential shop fronts within Mons Square would use red brickwork, to match the context which predominantly consists of two storey red brick buildings. The applicant has advised that the design inspiration is taken from the brick banding and detailing which is found in the local area, with a variety of brick bonds including stretcher, stack and soldier bonding patterns being used.

3.11 It is considered that the introduction of colour to some of the elevations would counterbalance the brutalist architecture. The applicant intends to submit a detailed materials schedule which could be covered by a condition. A further update will be provided at the committee meeting but, overall, the proposal would meet policy EQ2 'Design' of the Sefton Local Plan.

Landscaping

Landscape Design Overview

4.1 The application aims to create welcoming public spaces for visitors, occupants, and existing/future communities which are easy to find your way around while considering accessibility, habitat and ecology issues. The Design and Access Statement (DAS) and Landscape Strategy has outlined the rationale for the design and layout of the site.

4.2 Four key public spaces/components are proposed as set out below:

Mons Square - Strengthening the relationship between new public realm and Stanley Road.

4.3 Following implementation of the approved demolition areas, the proposals include opening up the areas of Mons Square through the demolition of some of the existing retail units to enable pedestrians to get easily from the bus stops on The Strand through to a public "town square" area known as The Mons. This would link Block A and Block B and include the retained canopy and a small children's play area.

Terraced Gardens - Developing site wide accessibility

4.4 One of the design challenges is the difference in levels of over 4 metres which has influenced the landscape and the arrangement of the spaces. This aspect would be addressed through a series of landscaped terraced steps and ramps to help people of all abilities to move freely within and across the site.

Canalside - Re-connecting the Strand and this area of Bootle with the canal.

4.5 Careful consideration has been given to the interface of the redevelopment with the event space Salt and Tar which is an important element of the transformation of the whole of the site but is not included within the application boundary.

Strand House - Frontage

4.6 The redevelopment would require the closure of the through service road to link to Vermont Way. The area immediately to the front of the southern elevation of Block B has been carefully re-

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designed to ensure appropriate access. The landscape treatment to the southern elevation of Block B and Strand House has been designed to be temporary in nature, but functional and usable prior to the design of a 'permanent' public realm solution.

Views

4.7 One of the key views would be from the pedestrian footpath on Washington Parade and the Canal side tow path. The proposal would open up the site and provide an enhanced view from these vantage points and is supported.

Soft Landscaping

4.8 The landscaping introduces new planted terraced areas consisting of a diverse mix of planting, including trees, ornamental plants (both native and non-native species) and the addition of new trees reflecting seasonal changes. These measures aim to enhance biodiversity and ecological value within the public realm and would contribute to the overall design approach of a reimagined public realm with a variety of open and shared spaces.

4.9 One of the key criteria for the success of the proposal would be to ensure that the planting thrives and is maintained. A landscaping condition is recommended to require clarity on the management and maintenance of the diverse planting within the public realm and landscape.

Hard Landscaping and Materials

4.10 The materials strategy proposed by the applicant for the public realm seeks to create a sense of unity and place through the use of high-quality, durable materials and street furniture. Again, the selected materials and colours would play an essential role in the scheme's success and in reinforcing the character of the site.

Daylight, Sunlight and Overshadowing

4.11 The applicant has carried out daylight/sunlight assessments and exposure, and the layout of the uses and spaces seeks to gain the greatest benefit from these. The Building Research Establishment recommend that for an open amenity space to be well sunlit throughout the year, at least 50% of its area should see two or more hours of sunlight on 21st March. The report concludes that that the proposed open amenity spaces largely satisfy the criteria and most outdoor areas receive adequate levels of sunlight. A minor exception is the area immediately north of Block A along the north façade where it remains in shade most of the time. However, it is noted that this space is relatively small in the context of the whole open space of the scheme.

Wind Microclimate

4.12 The applicant has submitted a Wind Microclimate Assessment which confirms that Mons Square would be suitable for sitting, standing etc all year round. The report has identified some

localised areas of wind acceleration potentially exceeding the recommended safety and comfort criteria particularly around the current Salt and Tar, but this is in line with the current levels on site. It is considered that the proposal in respect of the effect of wind is acceptable.

4.13 There are challenges in terms of the significant difference in levels, the interface of the canal side and Salt and Tar event space and the need to improve access towards the main retail area. Through the detailed landscaping strategy, which creates strong linkages across and through the site, the proposal would improve and enhance the character of the area. The scheme would offer opportunities for recreation and places for people to meet in line with policy EQ2 Design and policy EQ9 Provision of public open space, of the Sefton Local Plan.

Management, Security and Lighting

4.14 Policy EQ2 Design (Part 2) of the Sefton Local Plan requires development to ensure the safety and security of those within and outside the development. Concern about antisocial behaviour has also been raised by residents. The Design and Access Statement has a section on security which sets out a wide range of options including closing off areas out of hours, CCTV, and emergency help points.

4.15 The information has been assessed by the Designing Out Crime officer for the police who advised that all new and refurbishment developments be designed and constructed to Secured by Design (SBD) security standards, and that the developers for this scheme consider an SBD accreditation. The details have been forwarded to the applicant for their consideration. Given that the final details for the security and management of the site have yet to be finalised a condition to require an Operational Management Plan (OMP) to be submitted could be imposed. The document could set out how the site would be effectively managed both from a security perspective and how the impact on the adjoining residents would be minimised. Designing easy to maintain, safe and attractive public areas which minimise the opportunity for crime forms part of Policy EQ1 Healthy Sefton. A condition to require an operational management plan would meet these aims too.

4.16 The application is accompanied by a lighting strategy which includes a range of 6m high columns style lighting with adjustable spotlights, uplighting to trees and functional hand rails, and low-level lighting to ramps. Feature lighting is proposed to the facades, benches, canopy and stepped seating area. There is an opportunity to integrate CCTV equipment on the lighting columns and eliminate the need for additional columns for security purposes only.

4.17 The street lighting of the existing Service Road by Strand House would be retained. The luminaires have precise optical control and light distribution to minimise obtrusive light outside of the immediate site area and potential impact on natural habitats.

4.18 The lighting scheme has been assessed by the Environmental Health Manager who has advised that a condition is recommended to ensure the lighting scheme does not exceed maximum permitted levels set out in the industry recognised lighting guidance for an Environmental Zone 4.

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4.19 In addition to the lighting assessment being required to ensure that surrounding residents are protected from any light pollution, the Merseyside Environmental Advisory Service (MEAS) comment that the adjacent habitats may provide roosting foraging and commuting habitat for bats as well as other wildlife. Lighting for the development may affect the use of these areas and any lighting scheme would need to be designed so that it protects ecology. The Canal & River Trust has also recommended that the lighting be sensor activated near the canal rather than permanently on overnight. A condition to require the final lighting details could be imposed to address the light pollution both in terms of impact upon residents and ecology.

4.20 Subject to the provision of the OMP, and a lighting strategy the scheme is acceptable with regards to crime, safety and security and meets the requirements of Policies EQ1, EQ2 and NH2 of the Sefton Local Plan.

Access and Highways

5.1 The application is accompanied by Transport Statement and a Travel Plan and revised information was submitted in December 2024 which has also been assessed by the Highways Design Team.

5.2 The Strand is in a sustainable location and accessible by public transport with the Bootle Bus Station located on Washington Parade and Bootle New Strand railway station in walking distance.

Site Access

5.3 The proposed development is to be accessed from the Service Road which is to be stopped-up and physically closed at its entrance to the Strand underpass. As part of the closure, the section of the Service Road from Washington Parade/Strand Road roundabout to the point of physical closure will be changed from the existing one-way operation to two-way.

5.4 At a point to the east of the bend on the Service Road, removable bollards are to be installed to control vehicular access, so that only heavy goods vehicles (HGVs), particularly those associated with Salt and Tar events are allowed access beyond the location of the bollards. Provision has been made at the end of the Service Road to enable HGVs to turn.

5.5 All other vehicles entering the Service Road from Washington Parade/Strand Road roundabout will be required to turn at the turning head to be provided on the east side of the Service Road to egress at the roundabout.

5.6 To facilitate the change from one-way to two-way of the section of Service Road from the point of physical closure to the Washington Parade/Strand Road roundabout and to ensure safe use of the Service Road, a Stopping-up Order, new Traffic Regulation Orders and physical highway improvements would be required which would be undertaken through highways legislation.

5.7 The details are shown on submitted General Arrangement Plan referenced, 7400-BS-SK-001 rev P01 (03/07/2024) and include:

- Widening of the Service Road at its junction with the Washington Parade/Strand Road roundabout to allow 2-way traffic movements. This will involve removal of the footway buildout and guardrails in front of the existing taxi bays east of the roundabout and altering the footway reservation between the Service Road and Washington Parade including re-positioning the uncontrolled crossings.
- Provision of new splitter island at the junction of the Service Road and Washington Parade/Strand Road roundabout.
- Making of new Traffic Regulation Orders to accommodate the two-way traffic movements on the Service Road.
- Relocating existing on-street parking spaces from the Service Road to Jersey Street and Carolina Street.
- Providing 2no disabled parking spaces, 1no ambulance bay, 1no servicing bay and a turning head all to the south of the Strand House.
- Removal of all on-street parking bays and other redundant road markings on the Service Road and provision of new give-way, carriageway centre-line markings and waiting restrictions.
- Provision and installation of steel bollards (the total number to be agreed) including retractable or collapsible bollards to enable HGV access.
- Access to the subway under Washington Parade to be retained with the necessary improvements. Access to the Strand House is also to be improved.
- Implementation of Stopping-Up Order and physical closure of the Service Road at its entrance to the Strand underpass.

Servicing / deliveries and refuse collection

5.8 The application submission includes Delivery & Servicing Management Strategy (DSMS) detailing how servicing, deliveries and refuse collection will be managed. Servicing and delivery vehicles for the proposed new units will use the on-street loading bay opposite the Strand Shopping Centre on Stanley Road. Appropriate refuse storage has been included within Block A.

Internal layout / Parking provision

5.9 The proposed development includes provision of 2no disabled parking spaces and 1no ambulance bay and 1no loading bay. These are located on the east side of the Service Road south of the Strand House.

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Accessibility of the proposed development.

5.10 Sefton Council uses Accessibility Checklist or Minimum Accessibility Standard Assessment (MASA) to assess the extent to which a proposed development is accessible by all modes of transport and meets the requirements of the Council's Accessibility Policy.

5.11 The applicant has explained that although the proposal constitutes a change of use and associated external alterations, much of which is pedestrianised public realm with no provision for designated cycle routes, the proposal is internally permeable for cyclists and can in future connect externally to other planned cycle routes. A total of 18no cycle stands at four different locations have been provided. The Highways Manager has advised that the provision is currently inadequate and a condition to increase the number and location of cycle stands could be imposed.

5.12 Active Travel England initially raised concerns about the scheme and requested a deferral whilst additional information on travel plan targets, access points, how well the site is connected to current and future travel provision in Bootle and details of increased cycle parking. Since their initial response a meeting has been taken place with them and additional information has been submitted to address their concerns.

Traffic Accidents

5.12 The analysis shows that within the assessment period, there were a total of 6 serious and 9 slight recorded personal injury accidents. The Highway Design Team has advised that there are no accident patterns or trends to suggest the additional traffic would significantly worsen the safety situation on the local highway network.

5.13 To conclude, the highways section, the assessment shows that trips to be generated by the proposed development and the associated parking demand is unlikely to result in any significant impacts on the highway network, therefore, the trip generation and parking assessment are acceptable. Certain highway works would be required to deal with the anticipated impacts and to allow for the Service Road to be used safely as two way. These works would be controlled via conditions and a Stopping Up Order would also be required. Conditions to consider parking, cycle parking, implementation of the travel plan mud on the highway and a construction management plan could be considered. Subject to the imposition of conditions the proposal would meet the aims of Policy EQ2 and EQ3 of the Sefton Local Plan.

Inclusive Design and Accessibility

6.1 A landscape strategy would be implemented with 1:21 sloped walkways, terraced steps and connected public spaces to address the significant level changes between the Canal and Mons Square, to create an accessible route through the site for people with diverse needs. Additional

slopes have been provided to ensure appropriate routes to Blocks A and B and from Block B to the Canalside areas.

6.2 A second slope would be located south of Block A allowing access to the tow path, canal side and Salt & Tar. Terraced steps, landscaping and a sloped walkway would be provided.

6.3 The Building Control manager has advised that whilst changes of levels in public spaces are not formally covered by the Building Regulations there is guidance regarding changes of levels to approaches to a building. Where the gradient of the approach, whether over its whole length or in part, is 1:20 or steeper, that part of the approach should be designed as ramped access. As the designers appear to be using a slightly better standard (1:21) for changes in levels in public open spaces, then that would appear to be reasonable.

6.4 The proposal incorporates resting/seating points integrated into the landscaping throughout the public realm. The seating options include space for wheelchair users and pushchairs. The pedestrian network would deliver an accessible public realm, which is supported and meets the aims of policy EQ3 'Accessibility' of the Sefton Local Plan.

Living Conditions

7.1 The site is located in close proximity to residential properties, particularly to the west with the residents of Strand House most affected. The demolition and opening up of part of the site could increase noise, however it is noted that the Strand shopping centre originally was not enclosed or covered by any canopies.

Noise

7.2 The application is accompanied by a noise report which has been assessed by the Environmental Health Manager. The proposed play areas could cause more noise in the evenings and consideration could be given to a curfew in the use of the play areas due to potential noise in the evening. The applicant has agreed to a condition to require a Management Strategy to be submitted to address this aspect.

7.3 The existing service road for the shopping centre would change from a one-way route to a two-way route, with service vehicles accessing and leaving the site via Vermont Way. The Environmental Health Manager has advised that the changes in vehicle movements would be minimal and there are no sensitive receptors located along Vermont Way. As such, noise impact from this source is predicted to be negligible.

Odour

7.4 Given there may be commercial food businesses within the commercial units, a condition to control odour and smoke could be imposed. This would meet the aims of Policy EQ10 'Food and Drink' of the Sefton Local Plan which seeks to ensure amongst other things, external ventilators

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and extraction systems do not cause undue harm to the appearance of the street scene or the living conditions of residents.

Construction

7.5 It is acknowledged that the proposal would have a negative impact on the living conditions of neighbouring properties in terms of noise, disturbance vibration and dust as part of the construction phases. The occupiers of the other units would also be affected due to the disruption caused by the demolition works.

7.6 However, a condition to require a final and full Construction and Environmental Management Plan (CEMP) could be imposed which would address the noise, dust and vibration aspects together with hours of working and hours of delivery of materials. The Canal & River Trust has also requested that the CEMP includes measure to protect the canal during construction. Subject to a condition controlling this aspect the proposed development meets the aims of Policies EQ2 'Design' and EQ5 'Air Quality' of the Sefton Local Plan.

Sustainability

8.1 The submitted Energy and Sustainability Strategy advised that the development would meet or exceed the requirements of Building Regulations Part L through the high-performance building fabric and efficient building services:

- All new building elements have high efficiency fabric U values.
- Replacing part of the existing glazing with new.
- New highly efficiency building services for heating, cooling and ventilation.
- Intelligent control system to reduce heating and cooling energy.
- Installing energy metering.
- Upgrading general lighting systems.
- Renewable energy options assessment.

8.2 The design ethos includes a fabric first approach to sustainability, to improve existing buildings and where possible repurposing existing materials to reduce the carbon impact of the works. In addition, it is the intention to fix solar panels to the roof of Block A (M&S Building) and a condition to control these details could be imposed.

8.3 The information has been assessed by MEAS who have confirmed that the details are in line with policy EQ7 'Energy Efficient and Low Carbon Design' of the Sefton Local Plan and are acceptable. It is recommended that the Energy and Sustainability Strategy is secured as an approved document.

Environmental Considerations

9.1 The proposed development has previously been screened for Environmental Impact Assessment. It has been concluded that impacts would not be so significant to warrant the preparation of an Environmental Statement and that impacts can be addressed and controlled through the usual planning process.

Ground Conditions, Contamination and Land Stability

9.2 Policy EQ6 'Land Contamination' of the Local Plan seeks to ensure that development proposals demonstrate that environmental risks have been evaluated and appropriate measures have been taken to minimize risks of adverse impacts which includes living conditions, damage to health and well-being and the natural environment amongst other things.

9.3 A report to assess contamination has been submitted -WSP (September 2023) Bootle Strand Phase 1 Preliminary Risk Assessment Report Number: 70101114/12132. Issue 1. The Land Contamination officer has advised that further information would be required in relation to the potential of contamination. The Environment Agency has also requested conditions to ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

9.4 Subject to the imposition of the conditions the proposal is acceptable and meets the aims of Policy EQ6 of the Sefton Local Plan which seeks to ensure that contamination is appropriately addressed within new development.

9.5 The non-towpath side of the Leeds and Liverpool Canal forms the southern boundary of the application site, and the Canal and River Trust (CRT) has raised the following issues:

- Structural integrity of the canal infrastructure
- Landscaping and canal edge
- Biodiversity and soft Landscaping
- Contamination risk and canal protection.
- Surface water drainage

9.6 To ensure that the waterway infrastructure is safeguarded during the works, CRT have requested that a Risk Assessment be provided by way of condition to protect the integrity and stability of the canal embankment throughout the construction process. A further condition to ensure additional details of the Canalside are provided to demonstrate the threshold between the existing canal edge, and the proposed walkways/ramps and paths has also been requested. It is considered that the provision of the conditions would meet the aims of Policies EQ2 Design and EQ9 Strategic Paths of the Sefton Local Plan.

9.7 Network Rail has not commented on the application, however there are mechanisms in

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place outside of the planning process to ensure the protection of railway assets. This can be added as an informative.

Ecology and Biodiversity

9.8 A Biodiversity Net Gain (BNG) Assessment report dated September 2024 has been submitted and assessed by MEAS, the Council's ecological consultant, who initially raised concerns about the proposal and potential impact upon BNG. However, following reconsideration of the existing and proposed habitat plans, MEAS have advised the scheme would not meet the 25m² loss of habitat required to trigger BNG. Therefore, the scheme would be exempt from BNG and is considered acceptable.

9.9 The application is accompanied by a Preliminary Ecological Appraisal dated October 2024 in accordance with policy NH2 'Nature' of Sefton Local Plan and a Bat Activity Report. The Bat report states no evidence of bat use or presence was found. Lighting has the potential to affect adjacent habitats and a lighting scheme that protects ecology and does not result in excessive light spill is recommended.

9.10 Biodiversity enhancement such as bat roosting boxes, birdnesting and native planting is recommended to meet the aims of paragraph 187 of the NPPF (December 2024). Subject to conditions to protect breeding birds, lighting and potential pollution of the canal during the construction the proposal meets the aims of Policy NH2 of the Sefton Local Plan.

9.11 A revised landscaping plan has been received which provides for the retention of the existing trees on site. Extensive planting including different tree species is also proposed. The proposal would meet the aims of Policy EQ9 'Provision of public open space, strategic paths and trees' of the Sefton Local Plan.

Flood Risk and Sustainable Drainage System (SuDS)

9.12 United Utilities have raised an objection to the submitted information. They have advised features appear to be located above the sewer and have raised concerns due to the proximity of the development to their assets. United Utilities also raise concern about potential flooding from the existing public sewers and that insufficient information has been submitted to demonstrate that the surface water hierarchy has been fully explored.

9.13 The applicant has advised that consultation took place with United Utilities as part of pre application discussions. Details including the drainage strategy and flow rates were confirmed with them. Part of the site is below the level of the canal and the applicant has also advised that following discussions with the Canal and Rivers Trust, a gravity connection is not possible into the canal. United Utilities has advised they will provide a further response, and an update will be reported before the meeting.

9.14 The applicant submitted a Flood Risk Assessment and Outline Drainage Strategy Report BTL-WSP-ZZ-ZZ-RP-D-001, by WSP, dated August 2024 to support the flood risk management proposals for the development. The Flooding and Drainage manager (LLFA) has advised:

9.15 The report states that, wherever possible, SuDS features such as permeable pavements, rain gardens, below ground attenuation systems and filter drains will be included as part of the surface water drainage proposals. However, the drainage layout plan submitted does not clearly indicate where all of these proposed SuDS features are to be located. A condition is required for an updated drainage strategy layout plans to be submitted for approval.

9.16 The hierarchy of discharge is that surface water should be discharged in the following methods:

1. Infiltration to the ground
2. To Surface water body
3. Connection to a surface water sewer
4. Connection to a combined sewer.

All of these should be considered, in the order listed above.

The flood risk assessment report has considered these:

Infiltration:

9.17 The flood risk assessment report has looked into the possibility of infiltration and suggests this not to be possible because the groundwater table is 2 m below ground level. This is based on information provided from the British Geological Survey. The report notes that actual groundwater level should be confirmed by ground water monitoring as part of site investigation works. However, the report has not considered any site-specific infiltration or percolation test in accordance with BRE365 which would be required.

Surface Water Body:

9.18 The report considers that the Leeds and Liverpool Canal is the nearest surface water body, but that as it is lined, there is no likely hydraulic connectivity to groundwater. There is no other water feature of note nearby. A connection directly to the canal, is not considered to be feasible due to parts of the site being lower than the canal level. However, the report has not investigated the possibility of pumping surface water from the development into the canal, something that should have been considered and discussed in liaison with CRT.

Surface Water Sewer:

9.19 There is no existing surface water sewer in the vicinity of the site.

Combined Systems:

The report identifies that there is an existing combined public sewer within the site and that this will be utilised to discharge surface water from the proposed development at a controlled rate.

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Flow rates:

9.20 A flow rate of 16.8 l/sec is proposed. In making the calculations for the discharge flow rates, the report notes that the original area of the development has been reduced from 14,400 sq m to 8,900 sq m (excluding the area of the road and block A building). Based on the reduced impermeable area, the report has calculated a discharge rate of 16.8l/s using the Info-Drainage ICP SuDS method, with an urbanisation factor of 0.75, a methodology acceptable to both the LLFA and United Utilities. The discharge rate not exceeding this should be subject to a condition.

Risk from the Canal:

9.21 The report has identified that there were three reported historical breaches of the canal. Whilst these are uncommon, the risk is assessed as high. The report refers to mitigation measures but the mitigation measures have not been submitted. A condition requiring these details to be submitted is recommended.

Maintenance proposals:

9.22 Full details of the management and maintenance of the SuDS systems for the life of the development is required. This should be the subject of a condition.

9.23 The report concludes that the full Drainage Strategy will be secured through the implementation of the recommended flood risk management and mitigation measures and the provision of an Emergency Plan to inform site users what the relevant emergency procedures are in the event of a flood. The emergency plan has not been submitted and should be the subject of a further condition.

9.24 In summary, whilst the comments from United Utilities are noted, the run off rates associated with the surface water drainage would be a matter for the Local Lead Flood Authority as the statutory consultee. The Flooding and Drainage manager has on balance raised no objection subject to further details, amongst other things, to ensure that all options associated with the surface water hierarchy have been clearly investigated and reviewed. Therefore, subject to conditions including the submission of a comprehensive drainage strategy to address the issues raised, the proposal would meet the aims of Policy EQ8 of the Sefton Local Plan and paragraphs 181 and 182 of the National Planning Policy Framework (Dec 2024).

Other Matters

10.1 Third party concerns have been raised and addressed through the main body of the report.

10.2 Cadent Gas has apparatus within the application site and have no objection subject to an Informative about their infrastructure and that the Health and Safety Executive is consulted.

10.3 A web-based desk assessment has been undertaken through the Health and Safety Executive. The application site does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline; therefore, at present the Health and Safety Executive does not need to be consulted.

10.4 The Building Control manager has advised a Building Regulations application will need to be submitted before works commence on site. Reasonable provision appears to have been made for Fire Brigade access. As part of the subsequent Building Regulations application, the smoke extraction system for the remaining shopping malls will be assessed for its suitability.

Planning Balance and Conclusion

11.1 The Strand Transformation project is an important regeneration opportunity in Bootle which has attracted significant Central Government funding. Due to the complexity of the re-development the proposals would be implemented over four phases between 2023 and 2031. This phase would focus on the delivery of the town square, addressing significant level changes and associated landscaping. Conditions to control the proposed uses, landscaping materials and elevational changes, highways, lighting, sustainability, land contamination, biodiversity and the protection of the canal side are recommended.

11.2 Officers acknowledge that the proposed works would impact on the living conditions of adjacent residential properties in terms of noise, dust and general disturbance caused by the demolition. However, this element would be for a limited amount of time, and it is recommended that conditions are added to mitigate its impact through a Demolition and Construction Plan and also to address highway matters.

11.3 Subject to the imposition of conditions, the proposal meets the aims of the policies in the Sefton Local Plan, the emerging Bootle Area Action Plan and the National Planning Policy Framework.

Equality Act Consideration

Section 149(1) of the Equality Act 2010 establishes a duty for the Council as a public authority to have due regard to three identified needs in exercising its functions. These needs are to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.

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- Advance equality of opportunity between people who share a relevant protected characteristic (age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion and belief, sex and sexual orientation) and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The decision to approve this scheme would comply with the requirements of the Equality Act 2010, that no one with a protected characteristic will be unduly disadvantaged by this development.

Recommendation - Approve with Conditions

Time Limit

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

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2. The development hereby granted shall be carried out strictly in accordance with the following details and plans: -

- 521H-K2A-S1-XX-DR-A-00-0001 P03 - Site Location Plan
- 521H-K2A-S1-XX-DR-A-00-0020 P03 - Existing Site Plan
- 521H-K2A-S1-XX-DR-A-00-0003 P03 - Block Plan
- 521H-K2A-S1-XX-DR-A-00-0200 P03 - Post Phase 1b Demolition Site Plan
- 521H-K2A-S1-XX-DR-A-00-0201 P03 - Post Phase 1b Washington Parade Site Plan – Sheet 1
- 521H-K2A-S1-XX-DR-A-00-0202 P03 - Post Phase 1b Washington Parade Site Plan – Sheet 2
- 521H-K2A-S1-XX-DR-A-00-0203 P03 - Post Phase 1b Stanley Road Site Plan – Sheet 1
- 521H-K2A-S1-XX-DR-A-00-0204 P03 - Post Phase 1b – Stanley Road Site Plan – Sheet 2
- 521H-K2A-S1-XX-DR-A-00-2000 P05 - Proposed Site Plan
- 521H-K2A-S1-XX-DR-A-00-2001 P04 - Proposed Washington Parade Site Plan – Sheet 1
- 521H-K2A-S1-XX-DR-A-00-2002 P05 - Proposed Washington Parade Site Plan – Sheet 2
- 521H-K2A-S1-XX-DR-A-00-2003 P04 - Proposed Stanley Road Site Plan – Sheet 1
- 521H-K2A-S1-XX-DR-A-00-2004 P05 - Proposed Stanley Road Site Plan – Sheet 2
- 521H-K2A-S1-ZZ-DR-A-00-0300 P02 - Post Phase 1b Demolition Street Elevations
- 521H-K2A-S1-ZZ-DR-A-00-0351 P02 - Post Phase 1b Demolition Washington Parade Elevation

- 521H-K2A-S1-ZZ-DR-A-00-0352 P02 - Post Phase 1b Demolition Stanley Road Elevation
- 521H-K2A-S1-ZZ-DR-A-00-0353 P02 - Post Phase 1b Demolition Service Road Elevation
- 521H-K2A-S1-ZZ-DR-A-00-0354 P02 - Post Phase 1b Demolition Mons Square Elevation
- 521H-K2A-S1-ZZ-DR-A-00-0355 P02 - Post Phase 1b Demolition Building 03 Elevation
- 521H-K2A-S1-ZZ-DR-A-00-3000 P02 - Proposed Street Elevations
- 521H-K2A-S1-ZZ-DR-A-00-3001 P02 - Proposed Washington Parade Elevation
- 521H-K2A-S1-ZZ-DR-A-00-3002 P02 - Proposed Stanley Road Elevation
- 521H-K2A-S1-ZZ-DR-A-00-3003 P02 - Proposed Service Road Elevation
- 521H-K2A-S1-ZZ-DR-A-00-3004 P02 - Proposed Mons Square Elevation
- 521H-K2A-S1-ZZ-DR-A-00-3005 P02 - Proposed Building 03 Elevation
- BOO-OPE-00-ZZ-DR-L-1000 Rev 7 - Landscape General Arrangement
- BOO-OPE-00-ZZ-DR-L-8000 Rev 4 - Landscape Site Sections
- BOO-OPN-00-ZZ-DR-L-3000 Rev 4 - Landscape Softworks General Arrangement
- BOO-OPN-00-ZZ-DR-L-4000 Rev 4 - Landscape Levels General Arrangement
- BOO-OPN-00-ZZ-DR-L-2000 Rev 4 - Landscape Hardworks General Arrangement
- BOO-OPN-00-ZZ-DR-L-5000 Rev 4 - Landscape Edgings & Furniture General Arrangement
- 521H-K2A-B1-00-DR-A-20-1001 P02 - Demolition M&S Phase 1 Ground Floor Plan
- 521H-K2A-B1-00-DR-A-20-2001 P03 - Proposed Ground Floor Plan
- 521H-K2A-B1-01-DR-A-20-1002 P02 - Demolition M&S First Floor Plan
- 521H-K2A-B1-01-DR-A-20-2002 P03 - Proposed First Floor Plan
- 521H-K2A-B1-02-DR-A-20-1003 P02 - Demolition M&S Phase 1 Second Floor Plan
- 521H-K2A-B1-02-DR-A-20-2003 P03 - Proposed Second Floor Plan
- 521H-K2A-B1-B1-DR-A-20-1000 P02 - Demolition M&S Phase 1 Lower Ground Floor Plan
- 521H-K2A-B1-B1-DR-A-20-2000 P05 - Proposed Lower Ground Floor Plan
- 521H-K2A-B1-R1-DR-A-20-1004 P02 - Demolition M&S Roof Plan
- 521H-K2A-B1-R1-DR-A-20-2004 P05 - Proposed Roof Plan
- 521H-K2A-B1-ZZ-DR-A-20-1200 P02 - Demolition Section AA and BB
- 521H-K2A-B1-ZZ-DR-A-20-1500 P02 - Demolition M&S East and South Elevations
- 521H-K2A-B1-ZZ-DR-A-20-1510 P02 - Demolition M&S North and West Elevations
- 521H-K2A-B1-ZZ-DR-A-20-3000 P02 - Proposed East and South Elevations
- 521H-K2A-B1-ZZ-DR-A-20-3001 P02 - Proposed North and West Elevations
- 521H-K2A-B1-ZZ-DR-A-20-4000 P02 - Proposed Section AA and BB
- 521H-K2A-B1-ZZ-DR-A-21-3000 P02 - Building 1 Typical Shopfront Type 1
- 521H-K2A-B1-ZZ-DR-A-21-3001 P02 - Building 1 Typical Shopfront Type 2
- 521H-K2A-B1-ZZ-DR-A-21-3002 P02 - Building 1 Typical Shopfront Type 3
- 521H-K2A-B1-ZZ-DR-A-21-3003 P02 - Building 1 Typical Shopfront Type 3
- 521H-K2A-B1-ZZ-DR-A-21-3004 P02 - Building 1 Typical Shopfront Type 4
- 521H-K2A-B4-00-DR-A-20-0200 P02 - Post Phase 1B Demolition, Upper-Level Plan
- 521H-K2A-B4-00-DR-A-20-2000 P02 - Proposed Upper-Level Plan
- 521H-K2A-B4-R1-DR-A-20-0205 P02 - Post Phase 1B Demolition Roof Plan
- 521H-K2A-B4-R1-DR-A-20-2005 P02 - Proposed Roof Plan
- 521H-K2A-B4-XX-DR-A-21-3000 P02 - Proposed Typical Shopfront Type 1
- 521H-K2A-B4-XX-DR-A-21-3001 P02 - Proposed Building 4 Typical Shopfront 2
- 521H-K2A-B4-ZZ-DR-A-20-0250 P02 - Post Phase 1B Demolition South Elevation

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- 521H-K2A-B4-ZZ-DR-A-20-3000 P02 - Proposed South Elevation
- 521H-K2A-B4-ZZ-DR-A-20-3001 P02 - Proposed South Elevations
- 521H-K2A-B6-00-DR-A-20-0200 P02 - Post Phase 1B Demolition Upper Plan
- 521H-K2A-B6-00-DR-A-20-2000 P03 - Proposed Upper-Level Plan
- 521H-K2A-B6-R1-DR-A-20-2005 P03 - Proposed Roof Plan
- 521H-K2A-B6-R1-DR-A-20-0205 P02 - Post Phase 1B Demolition Roof Plan
- 521H-K2A-B6-XX-DR-A-21-3000 P02 - Proposed Typical Shopfront Type 1
- 521H-K2A-B6-ZZ-DR-A-20-0250 P02 - Post Phase 1B Demolition South & West Elevations
- 521H-K2A-B6-ZZ-DR-A-20-3000 P02 - Proposed South & West Elevations
- 521H-K2A-B6-ZZ-DR-A-20-3000 P02 - Proposed South Elevations
- 7400-BS-SK-001 P01 - General Arrangement
- 7400-BS-SK-002 P01 - 16.5m Articulated HGV Vehicle Tracking
- 7400-BS-SK-003 P01 - 12.2m Refuse Vehicle Tracking
- 7400-BS-SK-004 P01 - 12.2m Refuse Vehicle Tracking Parking and Turning Area
- 7400-BS-SK-005 P01 - Vehicle Tracking Parking Bays
- 7400-BS-SK-008 P01 - Adopted Highways Plan
- 7400-BS-SK-010 P01 - Highways General Arrangement

Landscape Design and Access Statement Rev 6

Transport Statement Rev 4

Sustainability and Energy Statement

Reason: To ensure a satisfactory development.

Before the Development is Commenced

3. No development shall take place until a site-specific Construction Environmental Management Plan (CEMP) has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust, water pollution, ecology and site lighting. The plan should provide for:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- Proposed Construction hours
- Proposed hours for deliver and removal of plant, equipment, machinery and waste from the site.
- Mitigation measures to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants, including a dust management plan in order to minimise the impacts of construction dust.

- Measures to prevent pollution of control waters during construction including steps to be taken to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the waterway;
- Include details setting out how any historic drains to the canal from the site may be located, remediated and sealed;
- details specifying how the waterway corridor and its users would be protected during the works and include any details of proposed protective fencing/netting to be erected to safeguard the waterway infrastructure during site clearance/construction
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of the development.
- the control and removal of spoil and wastes.
- Adequate provision for contractor parking
- Mitigation measures for the protection of amphibians' mammals, breeding birds, hedgerows and retained vegetation.
- Measures to control flooding on site during construction.
- Waste audit.

The development shall be implemented in accordance with the approved CEMP.

Reason: To protect neighbouring properties during the construction phases.

4. No building hereby permitted shall be occupied until a drainage strategy for foul and surface water works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.
- the proposed foul connection points to the existing public sewerage infrastructure for the site. Any drainage infrastructure connections (foul or surface water), including the volume of flows between different phases and sub-phases of the development. Identification of any parts of the site where foul or surface water pumping is necessary.
- include a timetable for its implementation; and,

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- provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The drainage strategy shall be implemented in accordance with the approved details.

Reason: These details are needed prior to the commencement of development in case design changes are necessary; to promote sustainable development, to secure proper drainage and to manage risk of flooding and pollution in line with Policy EQ8 of the Sefton Local Plan.

5. No development shall commence (including any earthworks) until details of the means of ensuring the water mains that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing.

The details shall include a survey that identifies the exact location of the water mains, the potential impacts on the water mains from construction activities (including the construction compound), the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water mains both during construction and post completion of the development.

The details shall include a pre-construction condition survey. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details. On completion of the development a post construction survey must be submitted.

6. No development shall commence until a preliminary investigation report has been submitted to and approved in writing with the Local Planning Authority. The report must include:

- Desk study
- Site reconnaissance
- Data assessment and reporting
- Formulation of initial conceptual model
- Preliminary risk assessment

If the Preliminary Risk Assessment identifies there are potentially unacceptable risks a detailed scope of works for an intrusive investigation, including details of the risk assessment methodologies, must be prepared by a competent person (as defined in the DCLG National

Planning Policy Framework, March 2012). The contents of the scheme and scope of works are subject to the approval in writing of the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: The details are required prior to development or site clearance commencing to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. No development shall commence until the approved scope of works for the investigation and assessment must be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The report shall include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each relevant pollutant linkage. Remediation shall proceed in accordance with the approved details.

Reason: The details are required prior to development or site clearance commencing to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. No development shall commence until a remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks and the relevant pollutant linkages identified in the approved investigation and risk assessment, has been submitted to and approved in writing by the Local Planning Authority.

The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and roles and responsibilities. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 on completion of the development. The remediation strategy must be carried out in accordance with the approved details at all times.

Reason: The details are required prior to development or site clearance commencing to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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9. No development shall commence, including any works of demolition, until a Highways Construction 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:

- Site operative hours.
- timing of deliveries to avoid movements during peak traffic periods.
- layout of the temporary site compound
- demolition / construction traffic routing
- parking of vehicles of site operatives and visitors
- loading and unloading of plants and materials
- storage of plants and materials used in constructing the development
- full details including the height and maintenance of security hoarding

Reason: This is required prior to the commencement of development to ensure the safety of highway users during both the demolition and construction phase of the development. If the details are not approved prior to commencement, it will prejudice the safety of highway users.

10. No development shall commence, including any works of demolition, until details of all wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall include provision for the wheel washing of every vehicle directly engaged in construction/demolition activity prior to it leaving the site and shall be implemented during the entire demolition/construction period.

Reason: To ensure the safety of highway users during both the demolition and construction phase of the development.

11. No development shall commence until a detailed scheme of highway works together with a programme for their completion has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Widening of the Service Road at its junction with the Washington Parade/Strand Road roundabout to allow 2-way traffic movements. This will involve removal of the footway buildout and guardrails in front of the existing taxi bays east of the roundabout and altering the footway reservation between the Service Road and Washington Parade including re-positioning the uncontrolled crossings.
- Provision of new splitter island at the junction of the Service Road and Washington Parade/Strand Road roundabout.
- Making of new Traffic Regulation Orders to accommodate the two-way traffic movements on the Service Road.
- Relocating existing on-street parking spaces from the Service Road to Jersey Street and Carolina Street.
- Providing 2no disabled parking spaces, 1no ambulance bay, 1no servicing bay and a turning head all to the south of the Strand House.

- Removal of all on-street parking bays and other redundant road markings on the Service Road and provision of new give-way, carriageway centre-line markings and waiting restrictions.
- Provision and installation of steel bollards (the total number to be agreed) including retractable or collapsible bollards to enable HGV access.
- Access to the subway under Washington Parade to be retained with the necessary improvements. Access to the Strand House is also to be improved.
- Implementation of Stopping-Up Order and physical closure of the Service Road at its entrance to the Strand underpass.

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

Reason: These details are required prior to commencement to ensure that acceptable access to the development is achieved and to ensure the safety of highway users.

12. No development shall commence until details of the construction of the car park shown on drawing number 7400-BS-SK-010 P01 including levels, drainage and details of the finished surface have been submitted to and approved in writing by the local planning authority. Development shall be completed in accordance with the approved details prior to the occupation of the development and the car parking spaces shall remain available for their designated use in perpetuity thereafter.

Reason: These details are required prior to commencement to ensure that enough car parking is provided for the development and to ensure the safety of highway users.

13 The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the local planning authority and they shall be retained in perpetuity thereafter.

Reason: To ensure that enough cycle parking is provided for the development in the interest of promoting non-car-based modes of travel.

14 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the National Planning Policy Framework and EQ6 (Contaminated Land) of the Sefton Council Local Plan, 2017.

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15. No development shall take place with 15m of the canal until a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the canal has been to and approved in writing by the Local Planning Authority. The details shall:

- demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure
- set out the methodology for the demolition of the existing ramp, whilst ensuring the structural integrity of the canal infrastructure.
- provide detailed existing and proposed cross sections clearly showing the distance from the canal edge to the ramps, raised walkways, planting beds, proposed building A and any retaining structures including foundation details, relative levels and written dimensions.
- include the design, depth and means of construction of the foundations of the building A, together with any other proposed earthmoving and excavation works required in connection with demolition or construction of the buildings.
- details specifying how the canal will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction.
- include the steps to be taken to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason: To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 180 and 189 of the National Planning Policy Framework.

16 Prior to the construction/creation of the canal side public realm/walkway/paths full details of their construction shall first have been submitted to and agreed in writing by the Local Planning Authority. The details shall set out any remedial works required to the existing coping stones/canal edge; provide plans/cross sections clearly show the threshold between the existing canal edge and the walkway/ramps/paths and show the material finishes, composition and construction methodology. Details of the material finish/artwork for the canal side ramp /towpath elevation shall be submitted.

The details shall also include the design, material finish, foundations and appearance for the proposed extended canal side ramp elevations and its proximity to the water's edge of the canal. The details shall also include the specification of any canal side fencing/railings and method of its installation. The agreed details shall be carried out in full.

Reason: To ensure the use of appropriate materials in the interests of preserving and enhancing the character and appearance of the canal corridor and in the interests of protecting the structural stability of the canal infrastructure which could be adversely affected by the development and to ensure the safety of all users.

17 No development shall commence until details of a local construction employment scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall explain how reasonable endeavours shall be made to use local suppliers, contractors and labour during the construction phase of the development. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure the aims of the Social Value (Employment and Skills) from Development SPD dated May 2023.

During Building Works

18 In the event that previously unidentified contamination is found at any time when carrying out the approved development immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the remedial works identified in the approved remediation strategy, verification of the works must be included in the verification report required by condition 8.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

19 Prior to the installation of the solar panel's details including the height, design, colour, a glint and glare assessment and a timetable for their installation shall be submitted to and approved in writing by the local planning authority. The solar panels shall be implemented in accordance with the approved details and thereafter retained in perpetuity.

Reason: To ensure an acceptable visual appearance to the development and to meet the aims of policy EQ7 of the Sefton Local Plan.

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20 The external surfaces of the buildings shall be constructed of the materials specified on the document 521 H Rev P01 entitled Façade Materials Schedule for The Strand.

Reason: To ensure an acceptable visual appearance to the development and to meet the aims of policy EQ2 of the Sefton Local Plan.

Before the Development is Occupied

21. Prior to proposed development first being brought an appropriately scaled plan identifying suitable locations on the site for the erection of bat roosting boxes/bat roosting bricks and bird nesting boxes together with a timetable for implementation shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed with the approved details and timetable and retained throughout the lifetime of the proposal.

Reason: To safeguard the conservation of bats and birds in the area and to meet the aims of policy NH2 of the Sefton Local Plan.

22 Before any part of the development hereby permitted is occupied/brought into use a verification report that demonstrates compliance with the agreed remediation objectives and criteria shall be submitted to and approved in writing by the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

23 Prior to the proposed development first being brought into use a written scheme of odour and smoke control for any kitchen extraction system installed on site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be installed before the extraction system is brought in to use and be retained and maintained thereafter.

Reason: To safeguard the living conditions of neighbouring /adjacent occupiers and land users.

24 Prior to the first occupation of a commercial unit a suitable scheme of noise control for all plant and equipment shall be submitted to and agreed in writing with the local planning authority. The approved scheme must be installed before the plant becomes operational and retained as such thereafter. For each commercial unit, the approved scheme shall take account of the cumulative impact of adding noise source(s) to the existing noise environment, and the respective limits yet to be agreed at proxy monitoring locations.

Reason: To protect the living conditions of nearby residential properties from noise.

25 Prior to the installation of any external lighting and CCTV cameras, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate the following:

- i) There shall be no exceedance of the maximum values of vertical illuminance on residential premises as recommended by the Institution of Lighting Professionals Guidance Note GN01/21 "The Reduction of Obtrusive Light" or exceedance of the limits for the luminous intensity of bright luminaires and will therefore meet both the pre and post curfew requirements for Tables 3 and 4 of ILP Guidance Note GN01/21 for an Environmental Zone 4.
- ii) the minimizing of glare and sky glow through angling and shielding of luminaires, in accordance with the Guidance Notes above, and
- iii) measures to protect ecology and ensure that lighting does not give rise to excessive light spill onto habitats (i.e. foraging and commuting bats).

The mitigation strategy shall be implemented in accordance with the approved details and thereafter retained in perpetuity.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting and to safeguard established habitat.

26 Prior to the proposed development first being brought into use, an Operational Management Plan (OMP) shall be submitted to and approved in writing by the Local Planning Authority. The OMP shall include but is not limited to: operating details; operating hours; security; cleaning; general maintenance to buildings, landscaping maintenance; access arrangements and site management including measures as may be required for emergency access/exit or evacuation. The OMP shall be implemented in full compliance with the approved details and shall thereafter continue to be fully implemented for the period of the development.

Reason: To safeguard the living conditions of neighbouring /adjacent occupiers and land users.

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27 The development shall not be occupied or brought into use until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason: In order to meet sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

28 Within the first planting/seeding season following the completion of the development, all planting, seeding or turfing comprised in the Land scape Design Statement and Drawing Ref: BOO-OPE-00-XX-RP-L-0001 rev 05 shall be carried out; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.

Reason: To ensure an acceptable visual appearance to the development.

Informative:

1. The applicant/developer is advised to contact the Infrastructure Services Team on 01782 779909 or email Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust

2. The applicant is advised to contact the Canal & River Trusts Estate Management Team on 0303 040 4040 or email David.Faull@canalrivertrust.org.uk directly to discuss the previous transfer of land and any restrictive covenants/clause that would need to be adhered to and satisfied.

3. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on: www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

4 The Employment and Skills SPD sets out what employment and skills training are the priorities in Sefton and should form the basis of any submitted information to address the employment skills plan condition.

5. s38 agreement – An agreement under section 38 of the Highways Act 1980 Legal Agreement will be required to have the proposed parking spaces and the turning area shown hatched yellow on the Adopted Plan referenced 7400- BS-SK-008 rev P01 (03/07/2024) adopted by the Council. The applicant is

responsible for all costs associated with the highway adoption process and the agreement and must therefore contact Sefton Highways via email, hdd.enquiries@sefton.gov.uk following the grant of planning permission.

6.S278 agreement. - An agreement under section 278 of the Highways Act 1980 will be required for all improvements within the adopted highway. The applicant must therefore contact Sefton Highways via email: hdd.enquiries@sefton.gov.uk regarding any such alterations / works to the highway. The applicant is responsible for all costs associated with the s278 agreement.

7. The applicant is advised of the requirement for a "stopping up order" which forms part of the public highway. For further information please email the Highways Development and Design Team at HDD.Enquiries@sefton.gov.uk.

8. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Development and Support team on 0151 934 4195 or E-Mail snn@sefton.gov.uk to apply for a street name/property number.

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Report Title: Planning Appeals Report

Date of meeting:	Wednesday 15 th January 2025		
Report to:	Planning Committee		
Report of:	Chief Planning Officer		
Portfolio:	Housing and Highways		
Wards affected:	All Wards		
Is this a key decision:	No	Included in Forward Plan:	No
Exempt/confidential report:	No		

Summary:

To advise members of the current situation with regards to appeals. Attached is a list of new appeals, enforcement appeals, development on existing appeals and copies of appeal decisions received from the Planning Inspectorate

Recommendation(s):

- (1) That the contents of this report be noted for information since the a appeals decisions contained herein are material to the planning process and should be taken into account in future, relevant decisions.

1. The Rationale and Evidence for the Recommendations

This report is for information only.

2. Financial Implications

There are no financial implications

3. Legal Implications

There are no legal implications

4. Corporate Risk Implications

There are no Corporate Risk implications

5 Staffing HR Implications

There are no Staffing HR implications

6 Conclusion

This report is to update members on planning and enforcement appeals

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Alternative Options Considered and Rejected

N/A

Equality Implications: There are no equality implications.
Impact on Children and Young People: There is no impact on Children and Young People
Climate Emergency Implications: The recommendations within this report will have a Neutral impact.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director Corporate Services & Commercial (FD 7898) and the Chief Legal and Democratic Officer (LD 5990) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not applicable

Implementation Date for the Decision :

No decision required, for information only.

Contact Officer:	Tina Berry
Telephone Number:	0345 140 0845
Email Address:	Planning.department@sefton.gov.uk

Appendices:

The following appendices are attached to this report:

Appeals extract from the back-office system plus copies of any Planning Inspectorate decisions.

Background Papers:

The following background papers, which are not available anywhere else on the internet can be accessed on the Council's website <https://www.sefton.gov.uk/planning-building-control/search-and-view-planning-applications-and-appeals/>

Appeals Received and Decisions Made

Email: planning.department@sefton.gov.uk

Contact Officer: Mr Steve Matthews 0345 140 0845

Please note that copies of all appeal decisions are available on our website:
<http://pa.sefton.gov.uk/online-applications/>

Appeals received and decisions made between 21 November 2024 and 16 December 2024

Appeal Decisions

1E Gloucester Road Birkdale PR8 2AU

Reference: DC/2024/00093 (APP/M4320/W/24/3348675)
 Erection of a two storey dwellinghouse and associated works

Procedure: Written Representations
Start Date: 06/09/2024
Decision: Dismissed
Decision Date: 09/12/2024

Land At 45 Ormskirk Road Aintree Liverpool L9 5AF

Reference: DC/2024/00387 (APP/M4320/Z/24/3351599)
 Advertisement Consent for the replacement of existing externally illuminated paper billboard with 2 No. LED digital billboards

Procedure: Householder Appeal
Start Date: 18/10/2024
Decision: Dismissed
Decision Date: 25/11/2024

New Appeals

2A Harington Road Formby L37 1NS

Reference: DC/2024/01015 (APP/M4320/W/24/3355861)
 Erection of a detached dwellinghouse with an integral garage, 2 No. sheds, 1No. summer house and 1No. green house, widening of existing vehicular access to Victoria Road following the demolition of the existing dwelling and garage.

Procedure: Written Representations
Start Date: 29/11/2024
Decision:
Decision Date:

9B Aughton Road Birkdale PR8 2AF

Reference: DC/2024/01487 (APP/M4320/W/24/3355410)
 Prior approval submission for the proposed conversion of 6 No. light industrial units (Class E) to 6 No. self contained studio flats (Class C3).

Procedure: Written Representations
Start Date: 25/11/2024
Decision:
Decision Date:

100 Guildford Road Birkdale PR8 4JZ

Reference: EN/2024/00263 (APP/M4320/C/24/3349873)
 Appeal against without planning permission, the erection of a shed within the curtilage of the dwellinghouse which is not used for a purpose incidental to the enjoyment of the dwellinghouse.

Procedure: Written Representations
Start Date: 22/11/2024
Decision:
Decision Date:

9 Birch Green Formby L37 1NG

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Appeals received and decisions made between 21 November 2024 and 16 December 2024

Reference: DC/2024/01520 (APP/M4320/D/24/3355131)

Erection of a first floor extension to the side of the dwellinghouse

Procedure: Householder Appeal

Start Date: 27/11/2024

Decision:

Decision Date:

45 Warrenhouse Road Brighton Le Sands L22 6QW

Reference: DC/2024/01630 (APP/M4320/D/24/3355678)

Erection of fencing to the front and side of the dwellinghouse and addition of a new wooden gate and brick pillars at the front of the dwellinghouse (Part Retrospective)

Procedure: Householder Appeal

Start Date: 05/12/2024

Decision:

Decision Date:

1 Elm Avenue Crosby L23 2SX

Reference: DC/2024/01233 (APP/M4320/W/24/3354750)

Conversion of the existing detached dwelling into 2 No. semi-detached dwellings following the demolition of the existing pool house extension, alterations to the elevations and roof, and a part conversion of existing garage into a kitchen/living space

Procedure: Written Representations

Start Date: 29/11/2024

Decision:

Decision Date:

1 Harris Drive Bootle L20 6LD

Reference: DC/2024/01248 (APP/M4320/W/24/3356240)

Layout of an outside seating area with vehicle bollards and barrier system

Procedure: Written Representations

Start Date: 11/12/2024

Decision:

Decision Date:



Appeal Decision

Site visit made on 5 November 2024

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2024

Appeal Ref: APP/M4320/W/24/3348675

1E Gloucester Road, Sefton, Birkdale PR8 2AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr John Martin against the decision of Sefton Metropolitan Borough Council.
 - The application Ref is DC/2024/00093.
 - The development proposed is erection of one new dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would preserve or enhance the character or appearance of the Gloucester Road Conservation Area; and,
 - the effect of the proposal on the living conditions of the occupants of neighbouring properties with particular reference to outlook and privacy.

Reasons

Conservation area

3. The appeal site is located within the Gloucester Road Conservation Area (CA). The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
4. Buildings within the CA host generous plots with a mixture of detached or semi-detached properties which have a variety of individualistic styles, typologies and ages. Despite this variation in design, older Victorian buildings utilise a red brick or render. This creates a blend of design but a similarity in the material palette of the properties which make up the CA overall. The Birkdale Park and Gloucester Road Conservation Area Appraisal 2008 notes that the spaces between properties, including the overall width of the streets, contribute to a sense of openness. This feeling of space is an important characteristic of the CA. Insofar as it relates to this appeal, the sense of space contributes to the significance of the CA.
5. Previously located within this area of the site was an annexe and garage which were attached to 19 Lulworth Road. The annexe and outbuilding had been demolished at the time of my site visit. These elements originally formed an

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Appeal Decision APP/M4320/W/24/3348675

extension in the rear garden area of the host property and were single storey in form. Nevertheless, the evidence before me suggests that the two elements were of contrasting heights, with the annexe appearing taller than the garage element of this structure. However, the single storey nature of both the annexe and garage promoted the sense of openness within Gloucester Road and the appeal site. As such, 19 Lulworth Road and its surrounding open grounds which include the appeal site make a positive contribution to the significance of the CA.

6. The proposed dwelling would subdivide the plot of 19 Lulworth Road. It is the appellants contention that the annexe was a self-contained flat, which before its demolition, had been sub-divided from 19 Lulworth Road. However, the annexe and garage appeared as an extension to 19 Lulworth Road owing to its physical attachment and diminutive appearance to this building.
7. Its subdivision, and the placement of a two-storey dwelling much larger than the annexe and garage which were previously located within this space, would erode the feeling of space between 19 Lulworth Road and 1C Gloucester Road. Whilst eroding this sense of space, the proposed building would also appear confined within the appeal site and reduce the sense of space between these properties.
8. The appellant notes the closer relationship of space between 1B Gloucester Road and 1 Gloucester Road. Due to the absence of an officer report or decision notice for the development at 1B and 1C Gloucester Road, I cannot be certain of the reasoning behind this decision. The gap between these properties is not as large as the spaces between other buildings in the CA. However, there is a contrast in design between the two properties in this example such as the roof form of 1B Gloucester Road away from the boundary with 1 Gloucester Road. As such, this aspect and the lower height of 1B Gloucester Road creates a greater degree of space between the two properties when viewed from the CA, if only by a small degree.
9. The dwelling would be located opposite to Clairville flats. These flats host a modern appearance which is in contrast to the more traditional forms found within the CA. 1B and 1C Gloucester Road are also located next to the appeal site. These properties form a pair of semi-detached dwellings which are of a similar height and appearance to the proposed development, but have a greater width when viewed from Gloucester Road.
10. The dwelling would have a contemporary appearance through its use of a flat roof to the front canopy and large modern window features. However, despite its contemporary appearance, this would not be harmful when viewed in this particular position of the CA where different ages and styles are apparent. The use of red brick in the construction of the large facing elements of the building, grey roof tiles, sandstone detailing and black rainwater goods would be similar materials to those found within the CA. Therefore, although the proposal would not resemble the predominant form of the older buildings within the wider CA, this would not be harmful to its character or appearance. This is due to its position adjacent to a property of a similar appearance and opposite a large modern built form at Clairville flats.
11. The harm I have identified through the reduction in space would be less than substantial. I am therefore required by paragraph 208 of the Framework and

Policy NH12 of the Sefton Council Local Plan 2017 (LP) to weigh this harm against the public benefits of the scheme.

12. The proposal would provide an additional three-bedroom dwelling. This would generate jobs during the construction period and future occupiers would use local shops and services and generate Council tax receipts. The social and economic benefits are factors in the scheme's favour which carry moderate weight in my assessment.
13. I am required to give considerable importance and weight to any harm to a designated heritage asset, which the Framework states should be conserved in accordance with their significance. The moderate public benefits associated with the provision of one additional dwelling would not outweigh the harm I have identified to the character and appearance of the CA. The proposal is therefore unacceptable.
14. To conclude, the proposal would reduce the space between 19 Lulworth Road and 1C Gloucester Road. This would harmfully erode the open and spacious area between these properties and the character of the CA. The proposal would therefore fail to preserve or enhance the character or appearance of the CA and would conflict with Policies NH9 and NH12 of the LP. These policies seek to protect the character or appearance of conservation areas and the significance of Sefton's heritage assets, which specifically includes the spacious planned character of Victorian and Edwardian suburban conservation areas.

Living conditions

15. 1C Gloucester Road is located next to the appeal site. This neighbouring property hosts a window in the ground floor side elevation, which would look onto the appeal building. This window would have looked onto a garage which would have been sited closer to this window than the proposal. Whilst this has been taken into account, the proposal would be much taller than the previously sited garage with a featureless and blank elevation of a significant height. As such, this would harm the outlook to this window of 1C Gloucester Road.
16. 19 Lulworth Road is located on a corner plot to Gloucester Road and Lulworth Road. This neighbouring property is adjacent to the appeal site and features a window in its elevation which looks onto the appeal site. Owing to the height of the proposed dwelling, this window would look onto the proposed building at a similar height. Whilst the proposal would be in a similar position to the previous annexe and garage at 19 Lulworth Road, this was at a single storey height. Therefore, the outlook to this window was across the roof element of the previous structure before its demolition. As such, the proposal would cause harm to the outlook of the neighbouring property window.
17. 17 Lulworth Road is a sub-divided property which is located behind the appeal site. This subdivision has divided the property into No. 17 and 17A. The garden area which serves this neighbouring property is located in close proximity to the proposed building. The Sefton Council New Build Homes Supplementary Planning Document (SPD) notes the distances which should be established between residential properties. The SPD notes that a distance of 10.5m should be achieved from a habitable room window to the garden of a neighbouring property.

Agenda Item 5

Appeal Decision APP/M4320/W/24/3348675

18. The proposed building would create two large windows at the first-floor level, one of which would be utilised as a bedroom. This would be sited at a much closer distance to the garden of 17 Lulworth Road than the suggested guidance found within the SPD. This would reduce the level of privacy currently enjoyed by the occupiers of 17 Lulworth Road when utilising their private amenity space.
19. It is the appellants contention on this matter that the proposal would meet the minimum requirements in the SPD for the provision of outdoor amenity space for a three-bedroom dwelling and as such, this would reduce the harm to the living conditions of 17 Lulworth Road. The concern of the SPD when providing the minimum outdoor amenity space requirements is to provide appropriate spaces for outdoor activities for new dwellings. Therefore, this would be a benefit for the occupiers of the new dwelling. This would not overcome the reduction in privacy to 17 Lulworth Road.
20. It is also contended that the privacy of this outdoor amenity space to No 17 is already compromised due to the subdivided nature of 17 Lulworth Road. Whilst the property does appear to be sub-divided, this does not overcome the harm to living conditions which would be experienced from the proposal under consideration in this appeal.
21. 17A Lulworth Road contains windows in its rear projection. The SPD notes that a 21m distance must be achieved between two habitable room windows. The distance which would be achieved in this instance would fall below this guidance. As such, owing to the open and back-to-back nature of the windows within the proposed and neighbouring property, this would reduce the privacy enjoyed by the occupier of No. 17A.
22. The Council have cited that the development would have a harmful effect on the living conditions of the future occupiers of the proposed dwelling in their decision notice. However, this has not been expanded upon in the evidence provided. As such, I cannot determine or subsequently assess which element of the living conditions of future occupiers would be harmed. I have therefore not assessed this element of the reason for refusal given and it has not been determinative in my decision.
23. To conclude, the proposal would work against Policies EQ2 and HC3 of the LP and the guidance found within the SPD. These policies and guidance seek to protect the amenity of those adjacent to the site and to ensure that it would not result in an unacceptable residential environment.

Conclusion

24. For the reasons given above, the proposal would conflict with the development plan and the provisions of the Framework. There are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

J Smith

INSPECTOR



Appeal Decision

Site visit made on 11 November 2024

by K Winnard Solicitor LL.B Hons

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/M4320/Z/24/3351599

Land at 45 Ormskirk Road, Aintree, Liverpool L9 5AF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by ARM Capital against the decision of Sefton Metropolitan Borough Council.
 - The application Ref is DC/2024/00387.
 - The advertisements proposed are the replacement of existing externally illuminated paper billboard with 2 No. LED digital billboards.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council changed the description of the development and I note that this description has been used by the agent for the appellant in the appeal form. I have used this description of the development as it is more succinct.

Main Issue

3. The main issue in the appeal is the effect of the proposed advertisement display on visual amenity.

Reasons

4. The appeal site is an area of open land immediately adjacent to an electricity substation located in a two storey flat roofed, brick building, situate on Ormskirk Road, Aintree, a main arterial route from the motorway network into Liverpool City Centre. The surrounding area is predominantly commercial in nature, with the Aintree Retail and Business Park, Aintree Shopping Centre, and restaurants amongst other retail and commercial units to the south. There is a substantial amount of advertisement display/signage when approaching the site along Ormskirk Road, predominantly advertising the uses to which they are related. The mixed commercial use within heavily trafficked roads is such that it is in the type of area where National Planning Practice Guidance indicates that an advertisement panel would be permitted where it does not adversely affect the visual amenity of the area.
5. The digital billboards would replace an externally illuminated paper billboard which according to the information before me has deemed consent. The

principle of advertisements in this location has already been established by the granting of express consent for the existing paper billboard. The proposal is for a double sided large digital LED screen display elevated 3 m from the ground and measuring 5 m in width and 7.5m in height. It would display static two dimensional advertisements, although these are capable of being changed every 10 seconds.

6. The combination of its size and elevated position means that the advertisement display would be highly prominent and visible from the surrounding area to both road users and pedestrians. Rather than being contained within the surrounding built form, its elevated height and siting on open land, means it would stand as a large prominent structure towering above the adjacent fencing and electricity substation building. Further the proposed intermittent digital display would inevitably draw the eye increasing its visual prominence. Although there is an existing advertisement display at the appeal site, this sits considerably lower, allows views of existing features and does not unduly dominate the streetscene.
7. I appreciate that these types of advertisement displays are common place in many streetscapes within England. However, despite the generally busy commercial setting, due to its size, height and prominent siting it would be a discordant feature within the local context. Whilst there are other adverts along Ormskirk Road, they are much smaller in size and/or not illuminated. They do not appear out of scale alongside the buildings where they are located. Nor do they incorporate such large LED displays in elevated positions as the proposal before me.
8. I have considered the appellant's suggested conditions, including ambient environmental controls, levels of illuminance and minimum display times. However these would not sufficiently mitigate the overall harm that I have identified above which is caused only in part by the illumination and nature of the display.
9. The Regulations require that decisions are made in the interests of amenity and public safety. The Council has identified that the effect on public safety will be acceptable and I agree with this assessment. I have taken into account Policy EQ11 of a Local Plan for Sefton (adopted 2017). Given that I have concluded that the proposed advertisement display would be detrimental to visual amenity, the proposal would conflict with this policy insofar as it seeks to protect amenity.

Other Matters

10. I have considered the other matters raised by the appellant in relation to the general benefits of digital technology compared to the traditional billboard displays and that the advertisement displays may bring benefits in terms of opportunities for their use in public announcements and non commercial purposes. However, these matters are not determinative in this appeal and do not outweigh the harm I have identified in relation to amenity.

Conclusion

11. For the reasons set out above and having regard to all matters raised, I conclude that the advertisement display would be detrimental to the interest of amenity and hereby dismiss the appeal.

K Winnard

INSPECTOR

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Planning Committee
Visiting Panel Schedule

Date Monday 13th January 2025

Start: 10:00 am Outside former Marks & Spencer building, The Strand Shopping Centre, Stanley Road, Bootle

Agenda Item	Time	Application Details	Ward
4A	10:00am	DC/2024/01890 Strand Shopping Centre Stanley Road, Bootle	Linacre Ward

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