

Report to: PLANNING COMMITTEE **Date of Meeting:** 2nd June 2021

Subject: [DC/2020/01200](#)
[The Lathom, Lathom Avenue, Seaforth](#)

Proposal: Outline planning application for the erection of a two storey block of up to 12 flats with associated parking following demolition of The Lathom and adjacent garages. Access, layout and scale applied for at this stage, with appearance and Landscaping reserved for future consideration.

Applicant: Mr Brian Corrigan **Agent:** Malbreen

Ward: Church Ward **Type:** Outline application - Major

Summary

The proposal is for the erection of a block of up to 12 flats following demolition of the Lathom Club and adjacent garages in Seaforth. Appearance and landscaping are reserved for future consideration meaning the main issues to consider are the principle of development, living conditions of future occupiers and existing neighbours, heritage and matters relating to access and highway safety.

The Lathom is identified as a non-designated heritage asset (i.e. it is not a Listed Building) due to its significance within Seaforth's social heritage. Most notably the venue has hosted the Beatles. Its outright loss is detrimental however the limited degree of harm in overall heritage (wider social and architectural) terms is considered to be outweighed by the contribution the development would make to Sefton's housing supply. While concerns have been raised in relation to air and noise pollution associated with traffic along Princess Way it is possible to mitigate these issues. The Highways Manager has raised no objection to the proposed development on highway safety grounds, considering the means of parking and access acceptable. In general design terms the proposal has been revised down from a three-storey building to integrate better within the surrounding street scene.

Overall, there is a fine balance which has considered health implications and living conditions of future occupiers alongside regeneration versus conservation and it is considered that on balance the proposal is acceptable.

Recommendation: Approve with Conditions

Case Officer Steven Healey

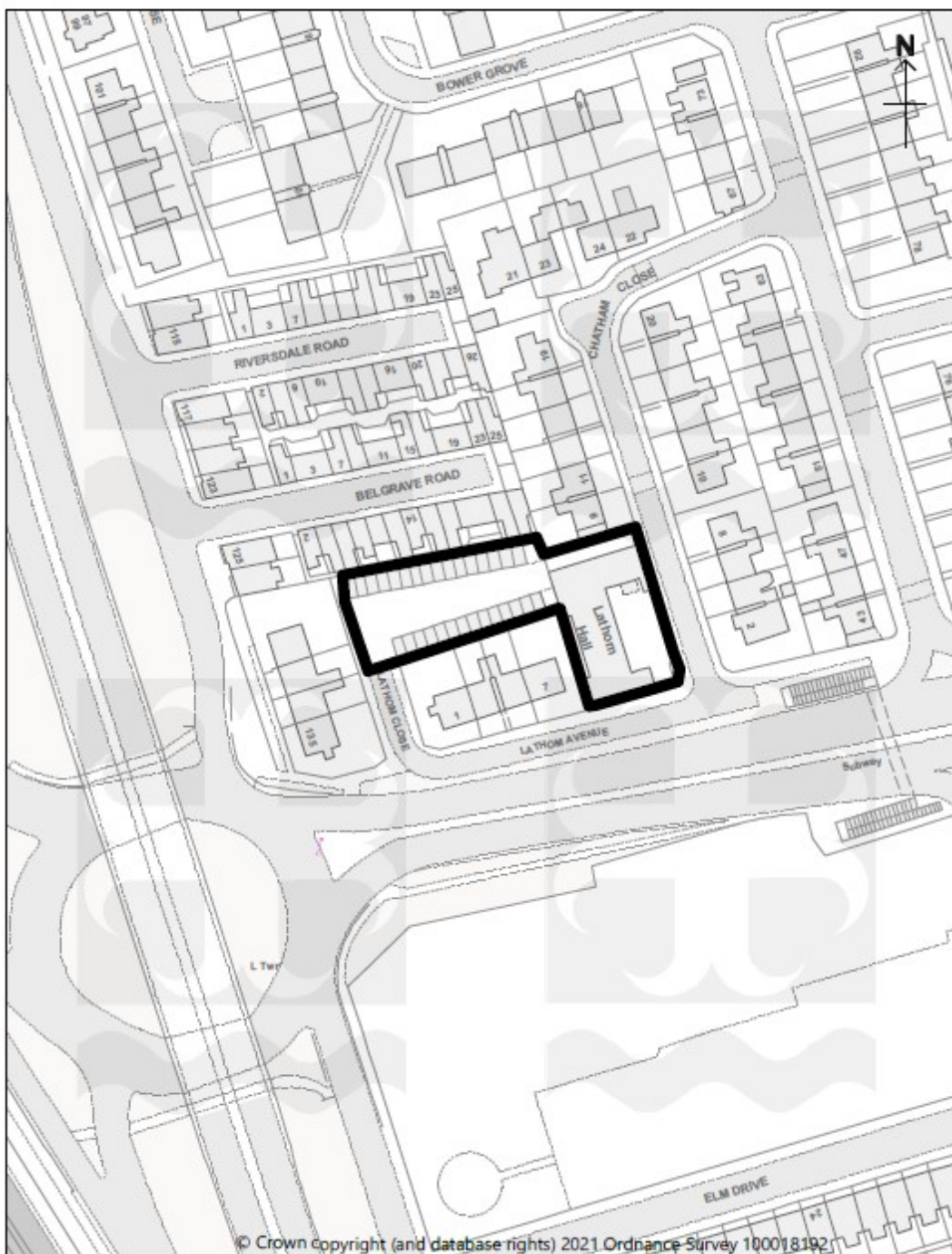
Email planning.department@sefton.gov.uk

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Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QD3KZANW08800>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 21/05/2021
Scale: Scale 1:1250
Created by: Initials

The Site

The application site comprises Lathom Hall, the former social club, located at the junction of Lathom Avenue and Chatham Close in Seaforth and an adjoining run of garages accessed off Lathom Close. The surrounding area is primarily residential with Princess Way located close to the south.

History

Retrospective planning permission was granted in September 2018 for the erection of security fencing to the existing garages (DC/2018/01538).

Numerous residents mention planning permission previously being refused for residential development on site, however there is nothing on the Council's Planning Register corroborating this.

Consultations

Conservation

The Lathom is considered a non-designated heritage asset. It was built in 1884 as Seaforth's first social club and has served as a place of entertainment in various forms over the years. Its heyday was in the 1960s and its most famous association is with the Beatles who played at the Lathom in their early career 11 times. Due to this the level of value to the community is high. The loss of the building is harmful due to both its social history and architectural interest. Although the building is in need of repair it retains many original details. Demolition and re-use of the site for a modern flat development is harmful in line with policy NH15 which seeks a balanced judgement based on the scale of harm or loss versus the significance of the asset. The proposal should therefore be refused.

Environmental Health Manager

Air Quality

The site is located within an Air Quality Management Area where the Council's monitors indicate airborne pollutants exceeding national standards (40 ug/m³ of Nitrogen Dioxide). The applicant has submitted an Air Quality Assessment which concludes at the southern façade of the flats levels are 37-38 ug/m³, when using modelling this is predicated to increase to 40 in the future. As levels are at or just below national standards it is likely air quality will have a negative impact on future occupiers. It is not appropriate to support the application however if it is recommended for approval it would be essential for the whole building to be mechanically ventilated.

Contaminated Land

There is the potential for ground contamination associated with previous uses and Made Ground therefore investigation is recommended in order to advise any remedial works required.

Noise

The submitted Noise Assessment indicates that the site can be made suitable with mitigation including acoustic glazing and ventilation and an acoustic barrier to the garden. An acoustic barrier must be installed to the perimeter of the car park to protect neighbours also.

Flooding and Drainage Manager

A scheme of sustainable drainage to be submitted prior to commencement.

Health and Safety Executive

No comment.

Highways Manager

No objection. An assessment of expected trip generation concludes approximately one additional vehicle trip per 15 mins at peak hours. There is capacity within the network to accommodate this. The level of parking proposed is acceptable given the accessibility of the site to sustainable transportation modes. Servicing and delivery arrangements are acceptable, and the refuse collection point will enable bins to be collected from Chatham Close.

Off-site works to reinstate footway will be necessary adjacent to the existing service yard and where access steps to the Lathom are located. Given the size and location of the development a Demolition and Construction Traffic Management Plan is required.

Merseyside Environmental Advisory Service

Archaeology

The submitted Heritage Statement presents an understanding of the significance of the building which is listed on the Merseyside Historic Environment Record. The statement mitigates impacts on the asset, the date plaque shall be reutilised in the new development.

Ecology

A full bat survey has been completed concluding there to be no evidence of bat roosting. The Council does not need to consider the Three Tests of the Habitats Regulations. Measures to protect breeding birds may be required and can be secured by condition.

Merseyside Fire and Rescue Service

No objection.

Merseyside Police Architectural Liaison Officer

The beat area surrounding the site experiences relatively high crime levels with 1,003 recorded during the previous 3 years. Violence against persons represents over half. Anti-social behaviour is low risk.

The location of the car park should be in view of habitable rooms and would need to be lit for safety and security.

United Utilities

Foul and surface water to drain on separate systems with the latter in the most sustainable way.

Neighbour Representations

A 59-signature petition endorsed by Cllr Cummins has been received by Planning Services opposing development on the grounds of overdevelopment of the site, narrow access roads, increased traffic and parking issues, loss of privacy and inconvenience to existing residents.

Objections received from 13 addresses on Chatham Close, three on Lathom Avenue and Close and 10 from elsewhere in Seaforth and Litherland on the following grounds: -

Traffic and Highway Safety

- Increase in traffic and congestion which is already expected to increase along Princess Way
- Chatham Close and Lathom Avenue are narrow and one way in, one way out, OS maps do not properly demonstrate width
- Insufficient room for vehicles to manoeuvre and pass, particularly an issue for HGVs
- If parking on pavement becomes unlawful there will be less room still
- Displacement of existing garages and lack of parking for proposed flats
- Increased demand for on-street parking; people likely to not use car park at rear
- Sale of garages to applicant has facilitated the proposed development
- Fencing at the end of Lathom Avenue inhibits access

Design and Residential Amenity

- Proposal will diminish health and wellbeing and quality of life for residents
- One-bed flats are inappropriate and will likely attract transient people, family homes would be better
- Area is primarily families and elderly people
- Overdevelopment and overcrowding
- Poor standard of living internally slum conditions and how will outdoor space serve all residents
- Loss of privacy associated with flats and new garden areas
- Loss of light given size of development
- Light pollution associated with flats and car park
- Future noise and disturbance
- Potential increased crime and anti-social behaviour which is already an issue locally
- Accesses either side of the building would cause a nuisance
- Children wouldn't be able to play in the streets

Heritage and Community Value

- Building is a community asset and there are no other community halls in the area
- Loss of music/ performing venue, Council should intervene and bring building back into community use
- Building is a non-designated heritage asset despite what applicant claims
- The Lathom is characterful and full of history and should be preserved
- Prior to the Lathom, Seaforth House occupied the site which was built by the Gladstone family

Environmental Issues

- Area is neglected and suffers from poor air quality and pollution, fly tipping and vandalism
- Air quality would be worsened as a result of development
- Impact on drainage, infrastructure and services
- Mess, dust and disturbance during demolition and construction
- Asbestos present in the Lathom and garages

Procedural Issues and Other Matters

- Development needs to be more sustainable, electric vehicles ought to be supported
- Previous proposals for housing rightly refused
- Mislabelled plans (wrong number of parking spaces and wrong street name)
- Other locations more suitable for flats – Rawson Street School
- No benefit to local residents
- Proposal is to make as much profit as possible
- Lack of consultation
- Time should be given to set up a body and Community Right to Bid to buy the property
- Timing of application during COVID and difficulty commenting
- Residents should be able to speak at Committee meeting
- Loss of property value

Policy Context

The application site lies within an area designated as residential in the Sefton Local Plan which was adopted by the Council in April 2017.

Assessment of the Proposal

The application seeks outline permission for the erection of a two-storey block of flats with associated parking and garden areas following demolition of Lathom Hall and two rows of garages. Matters including access, layout and scale are to be agreed at this stage with the final appearance and landscaping arrangements to be agreed at a later stage.

The application was originally submitted with all matters reserved and as a three-storey building with up to 16 flats. The Council notified the applicant in August 2020 that it was considered

necessary to agree the 'access, layout and scale' upfront, and in terms of the latter a three-storey building was not considered suitable. The applicant agreed to reduce the height to a two-storey building and re-notification was carried out thereafter. A further amendment was made omitting a ground floor flat.

The main issues to consider are the principle of development, heritage and design, living conditions of future occupiers and existing neighbours and matters relating to transportation, access and highway safety.

Principle of Development

The application site is situated within a Primarily Residential Area subject to Local Plan policy HC3 where the development of new housing is considered acceptable in principle when consistent with other Local Plan policies.

Heritage, Design and Character

The application site comprises a late 19th century former social club named Lathom Hall and adjacent garages accessed off Lathom Close. The red-brick Lathom Hall is a prominent local landmark included within the Merseyside Historic Environment Record and considered to constitute a non-designated heritage asset, largely due to its social history. Non-designated heritage assets are buildings, structures or areas which do not benefit from Listed Building, Scheduled Monument or Conservation Area status for example but are, at least at local level, considered to hold architectural or historical significance.

It is not registered as an Asset of Community Value. Chatham Close and Lathom Avenue comprise exclusively post-war terrace housing, while residential development within the wider area was constructed around the same era as Lathom Hall. Princess Way and Crosby Road South are located to south and west respectively, with both offering views of the application site.

Heritage

First built as a social club, then converted to a picture house, the Lathom has been adapted several times since, although has most recently been used again as a social club. The building's most notable attribute is its association with the Beatles. The band are known to have played several times at the venue in their early career when they were known as The Silver Beats. The applicant has submitted a detailed Heritage Statement which concludes that the building has low heritage significance and although there would be a total loss of the non-designated heritage asset this could be mitigated somewhat by the re-use of a terracotta date stone within the development. The Council's archaeologist is supportive of this approach.

Nevertheless, when applying Local Plan policy NH15, the Conservation Officer has objected to the loss of the non-designated heritage asset citing harm to social history and given its architectural interest. In terms of the architectural interest of the building, it is certainly characterful within the

context of the street scene and there are some ornate mouldings and attractive features, however substantial alterations over time have diminished its quality. In summary the building isn't considered exceptional architecturally to warrant preservation, however as discussed above it is the social history of the site which makes it an important (non-designated) heritage asset with strong community value which ought to be given due consideration.

Policy NH15 states 'Development affecting a non-designated heritage asset, or its setting will be permitted where the aspects of the asset which contribute to its significance are conserved or enhanced'. Again, the significance lies within the building's social heritage and what it represents as opposed to how it physically appears.

The Conservation Officer has suggested that conversion within the existing envelope would be supported. Although the provisions for securing the optimum viable use of heritage asset (para 196 of the National Planning Policy Framework) do not apply to non-designated assets, the applicant has provided various documentation including survey and feasibility information claiming that conversion is not viable. The Council's viability consultant has carried out a high-level review of the information and largely agrees that given the nature and condition of the building conversion to flats is unviable. The Lathom has remained empty for a number of years now and there is nothing to indicate the applicant wishes to bring it back into use and there is no evidence to suggest a concerted effort has been made to market the building.

In summary it is considered that the building possesses a high level of social/cultural interest locally, and a lesser degree of architectural interest, however on the scale of potential impact on heritage within the planning system the loss of the Lathom would have relatively low significance. Although mitigation is proposed in part this would not in itself conserve or enhance aspects which contribute to its significance given the building's outright loss. This will be taken into account in the overall planning balance, weighed against the benefits of the development and the fact the asset is not designated.

General Design Considerations

The applicant submitted with the application an indicative layout plan, floor plans and elevations. Given the urban nature of the site and number of flats applied for it was considered necessary to secure matters including layout and scale up front. In terms of scale the block of flats would comprise 2 storeys (reduced from an initial 3) and take on an 'L-shaped' plan which somewhat mirrors the existing arrangement of the Lathom and better reflects the prevailing building lines of Chatham Close and Lathom Avenue. It would be set back from the footway and this could support new tree planting.

Within the context of the existing building, the proposed block of flats is considered to be of suitable scale, bulk and massing. The future appearance would be subject of a future 'reserved matters' application as would the landscaping detail.

The car park would be positioned where an existing run of vacant garages is located, in a like for

like replacement of land use, while the remainder of land currently occupied by the garages would be taken up by the communal garden space serving the flats. This would back on to existing garden areas of neighbours and is therefore deemed acceptable.

Overall, in pure design terms, the proposal is considered acceptable within the context of its setting. The layout and scale would respond positively to the area when considering the baseline of the existing building while neighbour impacts or analysed further below. The proposal therefore complies with policy EQ2 'Design'.

Living Conditions

Future Occupiers

The proposed development is subject to Local Plan policies HC3 and HC4 and Supplementary Planning Document (SPD) 'Flats and Houses in Multiple Occupation' which provides guidance on suitable living conditions. Although the application is outline and final appearance may be subject to change, the overall scale and layout which are to be agreed and submitted floor plans are sufficient to enable an assessment of future living conditions.

With regard to internal living arrangements, the proposed development can comfortably accommodate 12 one-bedroom flats measuring around 50sqm on average, above the 37sqm floorspace standard set out within the guidance of the 'Flats and HMOs' SPD. Outlook to the ground floor flat labelled as 'flat 7' was previously restricted given the presence of 'flat 1' within the single storey element directly opposite, however the latter has since been omitted. It is considered that all flats are capable of benefiting from a good outlook and level of light based on the scale of the building and proposed number of flats.

In terms of the provision of outdoor amenity space, the Council's guidance recommends 20sqm per flat. The area annotated as 'Front Garden' on the submitted Site Plan would not be deemed usable or private however there is a larger enclosed rear garden measuring over 350sqm which is acceptable.

The site is located close to the busy Princess Way port access road which presents implications in terms of noise pollution. The site is in fact located within an Air Quality Management Area. An Air Quality Assessment was conducted prior to the Covid-19 pandemic which indicated that levels of Nitrogen Dioxide at the elevation fronting Princess Way, but separated by 17m, would not exceed national standards, although with increased traffic into the future levels could edge closer to the 40 ug/m³ standard. The installation of mechanical ventilation throughout the building would mitigate this harm. Outdoor amenity areas are positioned further from Princess Way behind existing residential properties where levels measure around 36 ug/m³. While levels of airborne pollutants are relatively high locally, they do not at present exceed national standards and with certain measures put in place this would further protect the living conditions of future occupiers. On this basis the Environmental Health Manager has stated 'it is not appropriate to support the application however if it is recommended for approval it would be essential for the whole building

to be mechanically ventilated'.

The applicant has submitted a detailed Noise Assessment. This has been reviewed to the satisfaction of the Environmental Health Manager who has requested that acoustic glazing and ventilation be secured to the new building, along with internal soundproofing between floors and acoustic fencing to rear garden areas in order to protect the living conditions of future occupiers. This can be secured by condition.

In terms of ground conditions, the Environmental Health Officer notes that a Timber Yard was previously located where the garden area is proposed which includes the potential for contaminants such as heavy metals and hydrocarbons. There is also the potential for Made Ground associated with the garages. It is therefore recommended that site investigation take place in order to advise whether any remedial works or ground covering is required.

Impacts on Existing Neighbours

The site is surrounded by properties on Chatham Close, Lathom Avenue, Lathom Close, Belgrave Road and Crosby Road South.

In first considering the impact of the proposed operational works (i.e. the new block of flats), it is not considered that harm would be caused to the living conditions of neighbours. The new building would not encroach within a 45-degree line of sight from the closest habitable room windows of neighbouring 9 Chatham Close to the north. There would be a limited encroachment within a 45-degree line of sight from the closest upper floor rear window of 7 Lathom Avenue, however the existing building is taller and longer in projection than the proposed block of flats, therefore it is considered that the light towards and outlook experienced by this property would be significantly improved. Demolishing the derelict garages and replacing with a new car park and amenity space would improve the outlook and general living conditions of properties to the west of the site.

The main elevation fronting Chatham Close would be aligned with the building line of the existing odd-numbered properties which are separated by around 21m from the front elevation of even-numbered properties opposite. In this respect there would be no loss of privacy. The submitted floor plans show a limited number of windows facing the side of 7 Lathom Avenue which also has side windows. A condition can be added to ensure these are obscure glazed if ultimately installed.

In considering impacts of the use of the site as 12 flats, the principle of residential development has been established and it is considered that the density of development is acceptable relative to the size of the site. While there have been suggestions that traditional dwellinghouses would be more appropriate, there are other purpose-built flats and converted flats within the vicinity. Given the presence of an equally large building already in situ the development of flats is deemed acceptable. The proposal has to be considered on the basis of what has been submitted. There is no evidence that the proposal would give rise to unacceptable noise or disturbance, particularly when considering the previous and lawful use of the site as a social club. There is similarly no indication that the proposal would contribute to crime or anti-social behaviour.

While there are existing parking facilities on site, the garages somewhat mitigate noise disturbance to neighbours. With parking spaces closer to neighbours, the Environmental Health Manager has recommended acoustic fencing to these boundaries. Concerns have been raised in respect to light pollution. The block of flats itself is considered unlikely to give rise to nuisance. Details of lighting to the car park can be clarified at reserved matters stage which Merseyside Police have advised on but would need to be discreet so as to not cause unacceptable glare.

Overall it is considered that the proposal would not cause harm to the living conditions of neighbours.

Transportation, Access and Highway Safety

The proposal has been reviewed to the satisfaction of the Highways Manager. There would be 15 parking spaces in place of the existing garages to serve the proposed flats which is considered an acceptable level. While existing garages would be displaced, these are already fenced off and disused. The Highways Manager has assessed projected vehicle trips associated with the development and it is considered that these can be readily accommodated within the highway network. The submitted drawings show sufficient space within the car park for turning and manoeuvring of cars and larger vehicles. The proposal includes a side access onto Chatham Close where waste can be collected with ease.

Residents have raised concerns over the width of Chatham Close, and while it is accepted that the carriageway is narrower than the Council's current standards, it is an existing arrangement and is not considered sufficient grounds to refuse additional development accessed off of the street. While cars parked opposite one another may well block access in certain situations, this is an existing issue which ought to be addressed separately.

Other Matters

Ecology

The application is accompanied by various bat surveys (including one conducted in spring 2021, hence the delay to the application) which have been reviewed to the satisfaction of Merseyside Environmental Advisory Service. No evidence of bat roosting activity has been found. In terms of other ecology issues, the building is likely to host nesting opportunities for breeding birds. Merseyside Environmental Advisory Service has advised that a check during bird breeding season by an ecologist would be necessary.

Flood Risk and Drainage

The site is located within Flood Zone 1 and thus is at low risk of tidal and river flooding. It is also at low risk of surface water flooding. Nevertheless, given the development is 'major' it is considered reasonable and necessary to require the submission of a scheme of sustainable surface water

drainage. This can be secured by condition and ensure surface and foul water are drained on separate systems.

Infrastructure and Contributions

The National Planning Policy Framework states under paragraph 112 that planning decisions should support the expansion of communication networks such as full fibre broadband connections; this can be secured by condition.

Electric vehicle charging points can also be secured by condition for the flats in accordance with the Council's guidance on 'Sustainable Travel and Development' and 'New Housing'.

While the proposal is for major development, there are early indications it would comprise exclusively one-bedroom flats which does not command financial contributions towards primary education as required by Local Plan policy IN1. Furthermore, there is sufficient capacity within local schools, namely Rimrose Hope.

Neighbour Comments

Consultation

Concerns have been raised over a purported lack of consultation. The Council has notified local people in line with the Statement of Community Involvement which includes writing to neighbours adjoining and opposite the site as well as posting Site and Press Notices. In the lead up to submitting an application, applicants can apply for informal pre-application advice, but this is not a matter of public record. The Council cannot insist that an applicant carry out community consultation on schemes of this nature in advance of submission.

Some residents have also suggested that applying during the COVID 19 pandemic has made commenting difficult. The Council has continued to carry out its statutory duties throughout the lockdown period, and thereafter, and provides residents with multiple means of making contact to Planning Services. It is not considered that any prejudice has arisen as a result. One resident has stated that residents should be given the opportunity to speak at Committee - this is only permitted in the case of someone representing a petition.

Other Concerns

The Lathom is not listed as an asset of community value, nor has it been nominated as such. The application has to be assessed on the basis as submitted and cannot be placed on hold indefinitely in order to allow a 'Right to Bid'.

Asbestos has been raised as a concern, however the handling and removal of asbestos is subject to health and safety and environmental legislation, therefore appropriate removal would not risk further ground contamination.

In terms of construction disturbance, this can be mitigated to a degree through the implementation of a Construction Traffic Management Plan, however issues such as noise can be addressed through Environmental Health legislation should this become an issue.

Loss of property value has been referred to in a number of neighbour objections, however this is not a material planning consideration.

Conclusion and Planning Balance

The proposed development to replace the Lathom and adjacent garages, both of which are vacant, would result in the loss of a non-designated heritage asset and provision of up to 12 flats. Planning policy requires the decision maker to apply a presumption in favour of sustainable development and approve development proposals that accord with the development plan without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The main benefit is the provision of new housing, and although the Council is in a position where it can demonstrate a 5-year supply, 12 purpose built-flats would make a positive modest contribution. The site lies within a Primarily Residential Area which establishes the principle of development. Princess Way lies within an Air Quality Management Area which warranted the submission of an Air Quality Assessment. At present future occupiers would not be exposed to levels of air pollution which exceed national standards, however levels are close to exceeding this. In the future with an anticipated increase in Port-related traffic, levels of air pollution at the face of the development would very likely meet if not exceed national standards. The Environmental Health Manager has concerns about air quality and if approval is recommended his view is that mechanical ventilation would be necessary. While significant weight ought to be afforded to impacts on health associated with poor air quality, existing evidence shows that air quality would be meet required standards and does not indicate levels which conflict with policy EQ4 (Pollution and Hazards). It is also possible to mitigate a future increase in air pollution.

The layout of the site and indicative floor plans show that a good standard of living can be afforded for future occupiers while not causing undue harm to existing neighbours. There are no insurmountable highway safety concerns associated with the proposed development and in general it is considered to be of a scale and layout which responds positively to the surrounding area.

The main cause of harm is the loss of a non-designated heritage asset. The significance of the building is its social history at a local level rather than its architectural merit. The significance of the asset is highlighted through a detailed Heritage Statement which has been submitted in accompaniment to the application and concludes on the whole a low heritage significance. The Historic Environment Record (HER) Officer within Merseyside Environmental Advisory Service has raised no objection subject to the reuse of a date stone within the new development which can be secured by condition. Although not specifically requested by the HER Officer it is considered that a commemorative (possibly blue) plaque is also a reasonable request which would allow the

layperson to better understand the significance of the site. While the Conservation Officer has objected, it is unlikely conversion would prove viable and there is no indication a more viable use seeks to retain the building. In any instance the application has to be assessed on the basis of what is submitted.

While the proposal would only provide a modest contribution to housing supply, the Lathom is currently vacant and the adjacent garages are in a poor state. The benefits of the development are clear and in the circumstances are considered to outweigh the limited harm in planning terms which would arise by virtue of demolishing a non-designated heritage asset, the significance of which is restricted to social history at a local level. This has been understood and appreciated and can be remembered within a plaque and through re-use of the building's datestone. The proposal is also capable of achieving a good standard of living for future occupiers and concerns over air quality can be met through the installation of mechanical ventilation.

Overall and on balance it is considered that the benefits of the proposed development outweigh the harm brought about by the loss of a non-designated heritage asset and potential issues associated with air quality into the future. Subject to the conditions below the proposal is recommended for approval.

Recommendation – Approve with Conditions

This application has been recommended for approval subject to the following conditions and associated reasons:

Conditions

This application has been recommended for approval subject to the following conditions and associated reasons:

Time Limit for Commencement

- 1) The development hereby permitted must be commenced before the expiration of three years from the date of this permission or two years from the date of the approval of the last of the reserved matters, whichever is the later.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

- 2) Details of the reserved matters set out below must be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (a) Appearance
 - (b) Landscaping

Approval of all reserved matters must be obtained from the Local Planning Authority in writing before any respective phase of development is commenced and must be carried out as approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

Approved Plans

- 3) The development shall be carried out in accordance with the following approved plans and documents: Proposed Location Plan (Lath/06/20/08) and Proposed Site Plan (Lath/06/20/10) received by the Council on 1st October 2020.

Reason: For the avoidance of doubt.

Before the Development is Commenced

- 4) Details of the appearance and landscaping (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. The landscaping detail provided at reserved matters stage must include the provision of semi-mature planting of trees along the boundaries to Lathom Avenue and Chatham Close.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

- 5) No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must include a programme of works, days and hours of working, a site layout during the construction phase, relevant contact details, routes to be taken by delivery vehicles, methods for traffic management including directional signage and full details of the proposed measures to ensure that mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance. The provisions of the approved Construction Traffic Management Plan shall be implemented in full during the period of construction.

Reason: This is required prior to the commencement of development in order to ensure the safety of highway users during both the construction phase of the development.

- 6) No demolition works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season the building is to be checked first by an appropriately experienced ecologist to ensure no breeding birds are

present. If present, details of how they will be protected are required to be submitted for approval.

Reason: In order to prevent harm to protected species

- 7) 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 and a 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. 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 commencing to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

- 8) 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 commencing to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

- 9) 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 commencing to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

- 10) No development shall commence until detailed plans and particulars of the sustainable drainage system for the management and disposal of surface water from the site has been submitted to and approved in writing by the Local Planning Authority. The details of the scheme must be based on the principles and details identified in the Outline Sustainable Drainage Strategy 27th July 2020 / 4-7680-DS-0/ Clancy Consulting Limited. The approved scheme shall be installed prior to occupation of development and be managed and maintained thereafter as such.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site

During Building Works

- 11) Samples of the facing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: In the interest of visual amenity.

- 12) Details of a scheme to incorporate the existing date stone and a commemorative blue plaque within the development which outlines the social history of the site must be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented as part of the development.

Reason: In order to mitigate the loss of a Non-Designated Heritage Asset.

Before the Development is Occupied

- 13) Before any part of the development hereby permitted is occupied 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

- 14) 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 13.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

- 15) No part of the development shall be brought into use 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 details of the proposed vehicular and pedestrian accesses onto Lathom Avenue and reconstruction of footway to Lathom Avenue where redundant stairway is to be removed and Chatham Close where the existing access is to be closed. 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: To ensure that enough car parking is provided for the development and to ensure the safety of highway users.

- 16) No part of the development shall be brought into use until areas for vehicle parking, turning and manoeuvring have been laid out, demarcated, levelled and surfaced in accordance with the approved plans and these areas shall be retained thereafter for that specific use.

Reason: To ensure that enough car parking is provided for the development and to ensure the safety of highway users.

- 17) The development shall not be occupied unless and until a minimum of two electric vehicle charging points have been installed and are operational in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The approved infrastructure shall be permanently retained thereafter.

Reason: To facilitate the use of electric vehicles and to reduce air pollution and carbon emissions.

- 18) No part of the development shall be brought into use until full details of secure storage for 12 bicycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be installed prior to occupation and be retained thereafter for that specific use.

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

- 19) The development shall not be occupied until details of full fibre broadband connections to serve the development has been submitted to and approved in writing by the Local Planning Authority. The infrastructure shall be installed prior to occupation and made available for use immediately on occupation of the development in accordance with the approved details.

Reason: To ensure adequate broadband infrastructure for the new dwellings and to facilitate economic growth.

- 20) Before the development hereby permitted is first occupied, all first and second floor windows facing the boundaries of 7 Lathom Avenue and 9 Chatham Close at a distance of 10.5m or less shall be fitted with obscured glazing, and any part of the windows that are less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To ensure that the privacy of neighbouring occupiers at all times.

- 21) Prior to occupation of development a suitable scheme of acoustic glazing for all habitable rooms, with a minimum performance standard as shown in section 8 of the approved Environmental Noise Impact Report (Reference: 14068 Version 1) has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme must be installed before the flats become occupied and retained thereafter.

Reason: In order to protect the living conditions of future occupiers from unacceptable noise and disturbance.

- 22) All bedroom ceiling must be constructed to the standard stated in section 8.3 of the approved Environmental Noise Impact Report (Reference: 14068 Version 1). The ceilings must be installed before the dwellings become occupied and retained thereafter

Reason: In order to protect the living conditions of future occupiers from internal noise transmission.

- 23) Prior to occupation of development a suitably designed acoustic barrier to protect the garden area must be submitted to and agreed in writing by the Local Planning Authority. The approved scheme must be installed before the development becomes occupied and retained thereafter

Reason: In order to protect external amenity areas from undue noise and disturbance.

- 24) Prior to occupation of development a suitably designed acoustic barrier must be installed around the perimeter of the car park in order to protect the gardens of the neighbouring dwellings must be submitted to and agreed in writing by the Local Planning Authority. The approved scheme must be installed before the development becomes occupied and retained thereafter.

Reason: In order to protect the living conditions of neighbouring residents from noise associated with the approved car park

- 25) Prior to occupation of development a suitable scheme of acoustically treated and filtered ventilation for all habitable rooms must be submitted to and agreed in writing with by the Local Planning Authority. The approved scheme must be installed before the flats become occupied and retained thereafter.

Reason: In order to protect the living conditions of future occupiers from unacceptable noise and levels of air pollution.

Ongoing Conditions

- 26) Within the first planting season following completion of the development, all planting, seeding or turfing comprised in the approved details of landscaping 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 others of similar size and species.

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