

Report to: PLANNING COMMITTEE **Date of Meeting:** 28th July 2021

Subject: [DC/2021/00069](#)
[29 Argarmeols Road, Formby, L37 7BX](#)

Proposal: Erection of 2 No. four bedroom detached dwellings following a demolition of existing dwelling.

Applicant: Mrs. Vivienne Olver **Agent:** Mr. Jonathon Prichard
LAGP Chartered Architects

Ward: Harington Ward **Type:** Outline Application

Reason for Committee Determination: Called in by Councillor Irving, and a petition objecting to the proposal endorsed by Councillor Irving

Summary

This application seeks outline approval for the erection of two two-storey detached dwellings following the demolition of the existing dwellinghouse with details of access, scale and layout submitted at this stage and landscaping and appearance reserved for later consideration. The main issues to consider are the principle of development and whether, based on the details provided, the site can sufficiently accommodate the proposal while complying with the aims and objectives of the Formby & Little Altcar Neighbourhood Plan and the Local Plan. It is considered for the reasoning set out that the proposal would not give rise to significant harm to the character of the area, would not have unacceptable impacts on neighbouring living conditions and is acceptable in all other respects. It is therefore recommended for approval with conditions.

Recommendation: Approve with Conditions

Case Officer Neil Mackie

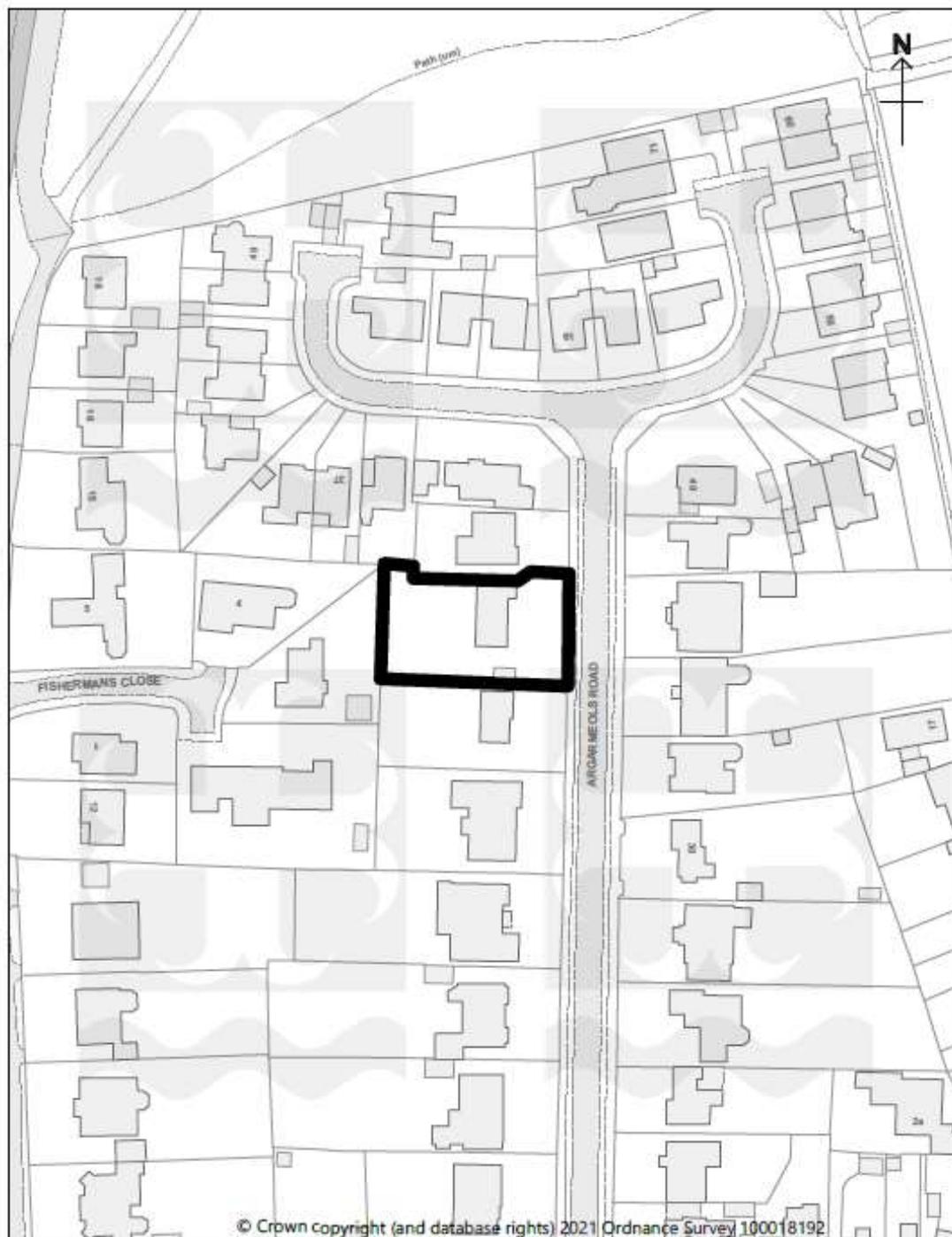
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QMVIYYNWGSK00>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 16/07/2021
Scale: Scale 1:1250
Created by: Initials

The Site

A detached two-storey dwellinghouse on the west side of Argarmeols Road within a primarily residential area of Formby. To the rear of the site lies Fishermans Close.

History

N/1996/0494 - Erection of a first-floor extension over the existing garage at the side of the dwellinghouse. Approved.

Consultations

Environmental Health Manager

No objection to this proposal.

Lead Local Flooding Authority

No objection

United Utilities

No objections raised.

Natural England

No objection.

Highways Manager

No objections in principle to the proposal as there would be no adverse highway safety impacts.

Merseyside Environmental Advisory Service

The proposal will not have likely significant effects on designated sites.

As the existing trees, buildings, and structures on site may provide potential roost features for bats then a preliminary roost assessment is required prior to determination.

As the site comprises habitat suitable for a number of Priority Species such as breeding birds, red squirrel and hedgehog a Preliminary Ecological Appraisal is required prior to determination.

Neighbour Representations

Petition

A petition with 29 signatories objecting to the proposal, endorsed by Councillor Irving, has been submitted.

Objections

Objections received from Numbers 25, 27, 31, 34 and 35 Argarmeols Road and Number 3 Fishermans Close. Grounds of objection relate to:

Character of the area

- Redevelopment of one property to two would not be in keeping with the character of the area
- Two small identical properties will be detrimental to the appearance of the road
- The properties occupy too much of the plot
- Insufficient space between the properties and neighbours
- The properties project behind the rear building line, which is harmful to the character of the area and contrary to Council guidance
- The properties will project beyond the front of the adjacent neighbours, which would be harmful to the character of the area

Living conditions of neighbouring residents

- The proposal will cause harm to living conditions of neighbouring properties through overlooking and overshadowing
- Two properties to this site will cause greater noise and disturbance to the detriment of neighbouring living conditions than a single property would

Highway Safety

- There is insufficient off-road car parking
- The proposal will cause harm to highway safety & amenity as visitors will park on the highway

Other Matters

- The proposal does not represent the most effective use of land
- The additional dwelling would place further strain on existing drainage
- Requests that a tree to the rear of the site is retained
- The proposal is not for the benefit of the community or neighbourhood
- They are not affordable housing
- There are enough new houses being built in Formby
- Concerns over the accuracy of the drawings and how it represents the proposed dwellings compared to existing neighbouring properties

Councillors

Councillor Irving has also objected to the proposal. He stated, in respect of the proposal as originally submitted, that the proposed dwellings if built will both extend some distance beyond the building line of other houses in the road and will certainly overshadow the property at the front to No 31. This will give a very dominant effect on the street scene and fails to respect local character and especially residential amenity. The density of the proposed dwellings does not prevail the character of the immediate area and is contrary to Neighbourhood Plan policy H11 'Density'. The development fails to comply with policy EDS2 'High Quality Design' as the development fails to make a positive contribution to the local character due to its scale, height, massing, layout, frontages and residential amenity. In addition the proposal contravenes the 'New Housing' SPD as it does not respect the building lines.

Amended Plans

Following the receipt of amended plans Councillor Irving maintained his objection to the proposal stating that the change in design has increased the density of the development with very little distance between the two new houses that will give very little natural light to the inside of each of them. He is concerned about the distance between the proposal and the existing properties at Numbers 27 & 31 Argarmeols Road and that the proposed houses do not fit into the established street scene. He considers that this does not represent sustainable development given the shortage of affordable houses in Formby and building two large detached four bedroom houses does not meet the housing needs of the area.

Other representations

Representation received from the Merseyside & West Lancashire Bat Group who consider that a Preliminary Bat Roost Assessment should be undertaken prior to determination.

Policy Context

The application site lies within an area designated as Primarily Residential in the Sefton Local Plan which was adopted by the Council in April 2017. The Formby and Little Altcar Neighbourhood Plan was 'made' (i.e. adopted) on 21st November 2019 and carries full weight in decision making.

Assessment of the Proposal

As submitted this application is seeking outline approval for the erection of two detached two-storey dwellinghouses following the demolition of the existing two-storey dwelling with details of scale, layout and access submitted for consideration at this stage, while landscaping and appearance are to be reserved for later consideration.

The main issue to consider is whether the site is capable of supporting the development in principle based on the submitted details, having specific regard to the principle of development, the impact on the character of the area, the impact on living conditions for neighbouring properties and future occupiers of the property.

The proposal has been amended from that originally submitted due to concerns raised with the agent regarding the layout and scale of the proposed properties. The following comments are based on the amended drawings.

Principle of Development

As this site lies within a designated Primarily Residential Area, Local Plan policy HC3 'Residential Development and Primarily Residential Areas' is of direct relevance. This allows for new residential development where it is consistent with other Local Plan policies.

The Formby & Little Altcar Neighbourhood Plan, in Policy GP1 'Spatial Strategy', promotes the infilling of the settlement boundary (which this proposal falls within) for future housing, economic and community related development. Policy H2 'New Housing' requires new housing to be well connected within the site and within the wider town.

Subject to the assessment of the other matters that follow, the principle of development can be accepted.

Character of the Area

Local Plan policy EQ2 'Design' only permits development where it responds positively to the character, local distinctiveness and form of its surrounding. This approach is also taken within Neighbourhood Plan policy ESD2 'High Quality Design'.

Argarmeols Road is residential in character with variety to the scale and appearance of properties and has witnessed many replacement dwellings over the years. There are variations to rear building lines along the road while the front building line is largely consistent. The road as a whole tends to have a rather low density of development aided by sizeable rear gardens. For example the application site occupies an area of 0.1ha and so would represent a density of 10 dwellings per hectare.

This proposal would double the density of development to the site to 20 dwellings per hectare, which is still below the density target within the Council's guidance as well as that within policy H1 'Density' of the Neighbourhood Plan. While below the recommended target of 25-30 dwellings per hectare within the Neighbourhood Plan it is considered that this density reflects the prevailing character and is acceptable.

The proposal would largely fill the plot width at a single-storey level, though separation and relief to boundaries would still be had at first-floor level, which reflects the rhythm of development seen along the road.

The proposal will bring development closer to the highway than the existing property, which is 11.4m to the highway at its nearest point, with the separation reducing to 10m at its nearest point. It is noted that an objector states a figure much closer but from using the given scale and dimensions on drawing number SP02 Rev B 'Proposed Site Plan' it is not agreed that the proposal is only set back from the highway by 8.5m. Further it is not agreed with the objector that the proposal will be 4.5 - 5m in front of Number 31, when the scale and the given dimension on the site plan referred to both give a figure of 1.5m.

Bringing the property forward of the existing and in front of Number 31 Argarmeols Road will not give rise to unacceptable impacts on the character of the area, nor will the 1.7m projection beyond the front elevation of Number 27 Argarmeols Road.

The scale of the proposal can be seen from the submitted street scene drawing, which is considered to accurately reflect the scale of Numbers 27 and 31 (based on previously submitted plans for Number 31 as well as a proposal that scaled Number 27 when applying for the redevelopment of Number 25).

The proposed houses are shown to have a maximum ridge height of 7m, compared to the 7.6m ridge height at Number 31 and 8.0m ridge height at Number 27. Being lower than the neighbours will not give rise to harm, and while only indicative at this stage the mirrored properties on the proposed street scene drawing will ensure the highest part of each house is kept centrally within the site, which replicates the approach generally seen along Argarmeols Road.

Concern has been raised by objectors regarding the projection of the properties beyond the rear building line of Numbers 27 and 31 Argarmeols Road as the Council's guidance does not encourage this. However, such a projection is considered to be acceptable in this instance based on the characteristics of the site and the grain of surrounding development, where there isn't a consistent rear building line, at least not one consistent with the rear of the application site or Numbers 27 & 31 (as seen from aerial photography).

The projection to the rear will not be readily appreciated from the Argarmeols Road highway due to the screening afforded by the proposed properties and neighbours and there will still remain at least 13m to the rear boundary with Fishermans Close. This will not lead to a feeling of a cramped form of development given the spacious front and rear garden areas that will still be retained and as such it will not detract from the character of the area.

The impacts of the rear projection on neighbouring living conditions will be assessed below.

The appearance of the properties, along with landscaping, is a matter reserved for later consideration but it is considered that the layout and scale of development as shown, and the indicative appearance demonstrates that the site can support two detached dwellings without causing harm to or detracting from the prevailing character of this residential area.

Living Conditions

Neighbouring Properties

Number 27 Argarmeols Road: Being positioned to the north of Number 27 it will not contribute to harm through overshadowing. The stepped rear projections lessen any impacts to the outlook from rear habitable room windows while the increasing separation from the shared side boundary lessens any harm through introducing a dominant or overbearing development. The indicative elevations illustrate first floor windows in the side elevations which could result in overlooking of the neighbouring property. However, as appearance has not been submitted for consideration, this matter could be controlled as part of any subsequent reserved matters application or by condition. The proposal is acceptable with regards to its impacts on Number 27.

Number 31 Argarmeols Road: The right hand dwelling will project 3m beyond the rear of this neighbouring property, with this element separated from the boundary by 5.3m. This modest projection plus the separation to the boundary will lessen any harm caused through overshadowing, and it will not cause harm through introducing a poor outlook. The forward projection of the proposal will not give rise to harm to Number 31 as the difference shown on the plans is 1.5m and this will not lead to a poor outlook or overshadowing of habitable room windows. As with no.27, any concerns of overlooking can be controlled as part of any subsequent reserved matters application or by condition. The proposal is acceptable with regards to its impacts on Number 31.

Number 35 Argarmeols Road: The proposal will not cause any harm to this property that shares a boundary to the rear of the proposed right hand dwelling. The proposal is sufficiently separated from this rear garden and from the house to this neighbour and will not cause unacceptable impacts through overshadowing, loss of privacy or creating a poor outlook. The proposal is therefore acceptable with regards to its impacts on Number 35.

3 Fishermans Close: A distance of 13m will be retained from the rear of the proposed properties to the rear boundary with this neighbour to the rear, which exceeds the Council's recommended minimum distance between windows and neighbouring gardens. As taken from Ordnance Survey maps the rear boundary of this neighbour is set off from the shared boundary by 12m and so the distance between window and window would be more than the 21m recommended within the Council's guidance. The proposal is acceptable with regards to its impacts on Number 3.

Future Occupiers

It will be expected that the main window(s) to habitable rooms within the proposal will be provided with a good outlook front and rear, and the rear garden to be given to each property will comfortably exceed the minimum required for a dwellinghouse with at least 3 bedrooms, 60m². The garden depth will also be largely commensurate with neighbouring properties noting that the garden to Number 31 is shorter than the application site and Number 27.

Based on the submitted information the proposal could provide acceptable living conditions for future occupiers of the properties.

Other Matters

Highway Safety and Amenity

As evident from the comments by the Council's Highways Manager the proposal does not give rise to harm. At least 2 car parking spaces can be provided per property, thereby complying with Neighbourhood Plan Policy H6 'Off-Road Parking'.

Policy H7 'Design Car Parking' within the Neighbourhood Plan states that parking should be located in between houses (rather than in front) so that it does not dominate the street scene and that where located to the front landscaping should minimise the visual impact of the car parking. The car parking will be visible from the road but as car parking to the front of properties is common to Argarmeols Road this arrangement will not give rise to harm.

The exact details and size of any garage will be determined upon receipt of the appearance details as while layout is required this largely establishes the footprint of development but does not bind the proposal to a specified internal layout. The Neighbourhood Plan is explicit as to the requirements for vehicle garages and any reserved matters application will have to adhere to this.

It is considered that the site can accommodate two detached dwellings without causing harm to highway safety or amenity.

Ecology

The Council's ecologists at the Merseyside Environmental Advisory Service have recommended that a bat roost assessment and a preliminary ecological appraisal are undertaken prior to the determination of this application. These have not been requested as the nature of this application ensures that development can't commence following determination, given the requirement for reserved matters to be submitted.

In view of the procedure for this outline application it is considered reasonable to secure the provision of these by way of conditions attached to any approval.

Further, once details of the appearance of the properties are submitted it is likely that a scheme of biodiversity enhancement (bat/bird boxes etc) will be sought to ensure a net gain.

Flooding & Drainage

The submission of a foul and surface water drainage scheme can be secured by a condition, so as to ensure that flood risk is not increase elsewhere and to comply with the requirements of the Neighbourhood and Local Plans.

There are no other matters raised that would significantly weigh against the development.

Conclusion

As the proposal has demonstrated that two detached properties of the layout and scale shown can be accommodated within the site while complying with the requirements of the Neighbourhood and Local Plans, and all other material considerations, it is recommended that the application is granted consent with the conditions that follow.

Recommendation - Approve with Conditions

Time Limit for Commencement

- 1) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2) Details of the appearance and landscaping 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.

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

Approved Plans

- 3) The development shall be carried out in accordance with the following approved plans:

001 'Location Plan'
SP01 Rev A 'Existing Site Plan'

SP02 Rev B 'Proposed Site Plan'
SE01 Rev C 'Existing & Proposed Street Sections'

Reason: For the avoidance of doubt.

Before the Development is Commenced

- 4) Prior to any development commencing, including demolition, a Bat Roost Assessment must be submitted to and the findings approved by the Local Planning Authority.

Any mitigation measures identified within the approved Bat Roost Assessment must then be incorporated into the proposal.

Reason: In the interests of protecting ecology

- 5) Prior to any development commencing, including demolition, a Preliminary Ecological Appraisal with specific regard to breeding birds, red squirrels and hedgehogs must be submitted to and the findings approved by the Local Planning Authority.

Any mitigation measures identified within the approved Preliminary Ecological Appraisal must then be incorporated into the proposal.

Reason: In the interests of protecting ecology

- 6) a) No development, other than demolition, shall be commenced until a scheme for the disposal of foul and surface water drainage, on separate systems and in accordance with the hierarchy within the National Planning Policy Framework, has been submitted to and approved in writing by the Local Planning Authority.

b) No part of the development shall be brought into use until the drainage system has been constructed and completed in accordance with the plan approved under (a) above.

Reason: In the interests of not increasing flood risk.

During Building Works

- 7) All windows to the side elevations above ground-floor level shall not be glazed otherwise than with obscured glass (to level 3 on the Pilkington scale or similar) and fixed shut where the means of opening is below 1.7m as measured from the internal floor level and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties.

Before the Development is Occupied

- 8) No property shall be occupied until a means of vehicular access to that particular property has been constructed.

Reason: In the interests of highway safety

- 9) No property shall be occupied until the area for vehicle parking, turning and manoeuvring has been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan for that particular property.

Reason: In the interests of highway safety.

- 10) a) Neither property shall be first occupied until visibility splays of 2.0 metres x 2.0 metres measured down each side of that property's access and the back edge of the footway have been provided clear of obstruction to visibility at or above a height of 1 metres above the footway level of Argarmeols Road.

b) Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

- 11) No dwelling shall be occupied until at least one electric vehicle charging point to serve that specific dwelling has been installed and is operational. The approved infrastructure shall be permanently retained thereafter.

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

- 12) No property shall be occupied until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

The approved landscaping scheme shall be implemented either prior to the first occupation of either property or in accordance with an agreed timetable.

Reason: To ensure an acceptable visual appearance to and sufficient living conditions for the development.

Informatives

- 1) 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.

- 2) The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Development and Design Team at HDD.Enquiries@sefton.gov.uk for further information.
- 3) If the proposed development is to incorporate piling in the foundation detail, the developer is advised to consult with Sefton Council Pollution Control (email ETSContact@sefton.gov.uk). This will reduce the chance of enforcement action which could occur if an unsuitable method of piling is chosen without appropriate consultation and which subsequently causes nuisance by way of noise and/or vibration.
- 4) The Council advises that sustainable drainage on a property level is considered by the applicant in order to retain surface water runoff from roofs and impermeable surfaces within the boundary of the development. This includes taking measures such as installing water butts, permeable paving and roof gardens.

The applicant should implement the drainage scheme in accordance with the surface water hierarchy below, discharge of surface water into anything other than the ground must demonstrate why the other sequentially preferable alternatives cannot be implemented:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer;
- to a combined sewer.

The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.