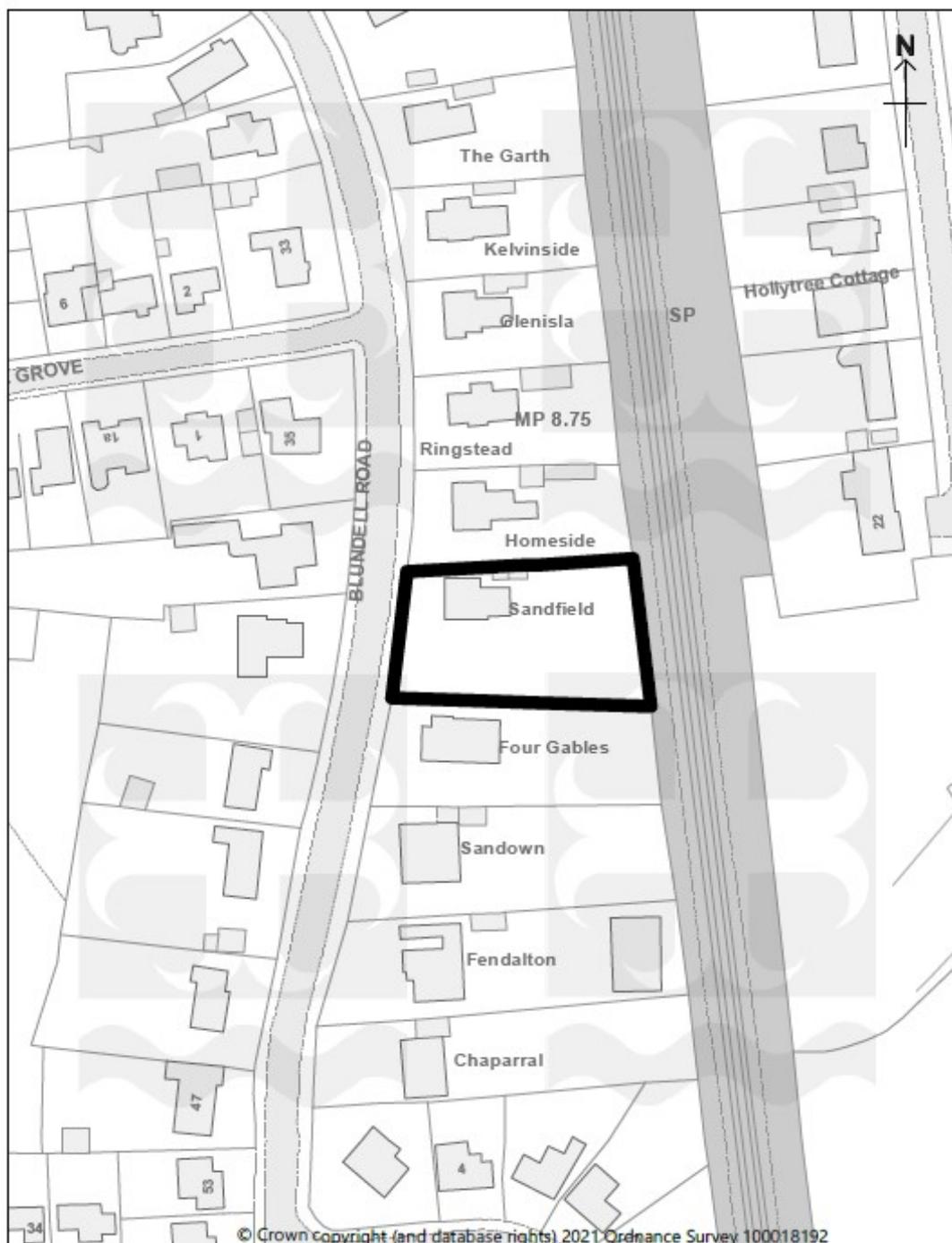




## Site Location Plan



Sefton Council



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

## The Site

The application site comprises land to be severed from the rear and side of an existing two-storey detached dwellinghouse at 40 Blundell Road within a primarily residential area of Hightown. The site is bordered to the rear (east) by a railway line.

## History

DC/2020/02483 - Erection of 2 detached dwellings with associated landscaping and new shared private driveway through the existing site entrance with alteration to the existing window fenestration to the rear of the existing house. Withdrawn.

S/2002/1181 - Erection of a single storey extension at the side of the dwelling house. Approved.

## Consultations

### Highways Manager

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

### Environmental Health

No objection in principle to this proposal.

### Tree Officer

Situated within and/or directly adjacent to the site are a number of trees which may be impacted on by the proposed development. Taking this into account and to allow full consideration of the proposals the application should be supported by a tree survey, impact assessment and method statement in accordance with BS5837:2012.

### Natural England

No objection.

### United Utilities

No objection.

### Network Rail

No objection in principle.

## Neighbour Representations

This application has been **called-in by Councillor John Joseph Kelly** in the event that it is recommended for refusal.

## Objections

Objections received from Numbers 38 & 42 Blundell Road Hightown.

Points of objection relate to:

#### Character of the area

- The proposal is not in keeping with design and layout of the area and adjacent properties
- This area is currently free from backland development other than ancillary domestic building or extensions to existing dwellings and this proposal would introduce an alien built form
- The lack of street frontage for the proposal would be out of character and incongruous with the existing established development
- The garden to Number 40 is commensurate with the calibre and size of that house and is not a development plot
- The proposal may lead to further backland development by setting a precedent
- Proposed landscaping will not lessen the imposing nature of the development

#### Living Conditions

- The proposal will have a detrimental impact on neighbouring living conditions through introducing an overbearing development
- The proximity of the proposal will give rise to significant harm through overshadowing a neighbouring rear garden
- Habitable rooms to the north elevation of the proposal, within 3m of the boundary, will give rise to harm as these windows are less than 21m from a neighbouring conservatory (stated distance is circa 16m). This would result in a loss of privacy
- The introduction of a driveway plus a parking area will cause harm through noise and disturbance to neighbouring properties

#### Flooding and Drainage

- The application is located within a high-risk area for surface water flooding and this proposal will exacerbate existing flooding within the immediate area

#### Support

Support received from Numbers 31 Blundell Road, 37 Blundell Road, 39 Blundell Road, 45 Blundell Road, 59 Blundell Road, 75 Blundell Road, 20 Richmond Close, 4 Mayfair Close, 11 Mayfair Close, 9 St Stephens Road (all Hightown), 2 Rymers Green Formby, 4 Wicks Lane Formby, 30 Knowle Avenue Ainsdale, 4 Pine Grove Southport, Flat 1 Alexandra Court College Road Crosby, 39 Coppull Road Lydiate, 32 Bidston Court Upton Road Prenton, 57 Broad Lane Stapeley Nantwich

Points of support relate to:

- Good for the community
- Welcome addition to the village
- Proposal is in keeping with the surrounding houses
- Helps to address shortage of housing
- No reason to refuse
- Similar backland developments permitted elsewhere in Hightown

- Blundell Road has never flooded

### **Parish Council**

Hightown Parish Council object to this proposal for the reasons cited by an objector (as summarised above).

## **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.

## **Assessment of the Proposal**

This application seeks consent for the erection of a detached two-storey dwellinghouse to the rear of the existing two-storey dwellinghouse at Number 40 Blundell Road within a Primarily Residential Area of Hightown.

The purpose of the dwelling is to provide suitable accommodation for the applicants to live in and provide care for their elderly parents.

The main issues to consider in respect of this application are 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 and the impact on flooding and drainage.

### **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.

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

### **Character of the Area**

Policy EQ2 'Design' of the Local Plan states that development will only be permitted where, amongst other matters, in relation to site context, the proposal should respond positively to the character, local distinctiveness and form of its surroundings. The policy also requires in terms of site design, that the arrangement of buildings, structures and spaces within the site, including density and layout, and the alignment and orientation of buildings relates positively to the character and form of the surroundings, achieves a high quality of design and amongst other things, integrates well with existing street patterns. The New Housing Supplementary Planning Document (SPD) includes guidance specific to proposals for backland development and, amongst

other things, seeks that the form and layout respect the character of the area.

There are two-storey properties along this section of Blundell Road that have a rhythm in terms of architectural styles, scale, bulk and massing. The sizeable rear gardens to these properties and the spacing between the properties are a prominent feature which gives a sense of spaciousness to this particular grouping, with views through to the rear, that clearly differentiates them from more recent development elsewhere on this road.

The proposed dwelling would be accessed from Blundell Road with an access road lying adjacent to the shared boundary with Number 42 Blundell Road to the south. While the proposed house would be positioned behind Number 40 it is likely that due to the spacing between Number 40 and Number 42 it will be visible from the highway when approaching from the south, and it will also be visible from the adjacent railway line to the east.

There is a largely consistent rear building line to this curvilinear section of Blundell Road running from Number 32 to 48, before the planned development at Elvington Road, with rear gardens being free from development other than ancillary buildings connected with the dwellinghouses. This contributes to the sense of local distinctiveness that policy EQ2 and the SPD aim to protect.

The proposal would occupy a significant proportion of the garden area of the host property. The arrangements of building and space with the site would appear as incompatible and incongruous from public vantage points as well as when viewed from neighbouring first-floor windows. This would harmfully disrupt the existing sense of spaciousness of these plots and a key characteristic of this run of properties.

The agent for the application has drawn the Council's attention to other developments within Hightown but it is not agreed that developments at St George's Road, for example, provide justification for this proposal given the change in site circumstances, the benefits arising from such developments and that the Council can now demonstrate a five year housing land supply.

The agent also contends that the granting of approval for a backland property to Number 24 Blundell Road, reference DC/2016/01033, should carry significant weight to the determination of this application. However, as has been stated to the agent, that application was considered prior to the adoption of the 2017 Local Plan and prior to the Council being able to demonstrate a five year housing land supply. Further, this site has different characteristics in relation to neighbouring development and form than that to be considered here. Finally, it would appear from aerial photography and the absence of any approval of conditions or allocating of an address that this permission was not implemented and, as such, has lapsed.

For the reasoning set out above it is considered that the proposal would fail to respond positively to the character and form of its surroundings. The proposal would cause significant harm to the character and appearance of the area, and would therefore be contrary to the requirements of policy EQ2 and the SPD.

This matter will be considered further at the end of the report as part of the planning balance.

### **Living Conditions**

#### *Future Occupiers*

The outlook from the ground-floor kitchen will be constrained as it is no more than 4m to the boundary with Number 38, as would the outlook from the French doors and a third opening serving this combined kitchen/dining & family room. This room as a whole, however, is also served by a window to the east with a distance of at least 8.2m to the boundary with the railway line. The limitations on outlook from this room, offset by a larger window to the east, would be apparent to any future occupier and on balance this is considered to be acceptable.

The lounge and dining room to the ground-floor have good outlook to the south towards the parking area and to the boundary with Number 42, and this outlook is repeated to Bedrooms 1, 2 & 3 to the first-floor. Bedroom 4 is served by a window to the east elevation at first-floor that is 8m to the boundary with the railway line and will provide views beyond that.

The garden area to be provided to this dwelling would significantly exceed that required within the SPD and is acceptable.

Any disturbance arising from the neighbouring railway line can be addressed by the occupiers through enhanced glazing, and the Council's Environmental Health Officers have not raised any objections regarding potential disturbance that could not be addressed through conditions attached to approval.

It is considered that the proposal is acceptable in this regard.

#### *Neighbouring Properties*

Number 40 Blundell Road: As evident from the submitted drawings it is intended for existing clear glazed windows at the first-floor rear elevation of Number 40 to be made obscure. This affects a bathroom and a bedroom, with the bedroom having an existing window to the side elevation and as such would not lead to a poor outlook.

The proposal would be sited 8.1m to the east and so will have an impact on the ground floor. This will be to a utility room and patio doors to a kitchen/dining room, that has two windows on the south facing side elevation. The outlook from the patio doors is likely to be affected by the proposal but the kitchen/dining room as a whole would still have a good outlook to the side. This approach is acceptable and in any case is being imposed by the applicant on their own property and would be apparent to any subsequent occupier of this dwelling.

Number 42 Blundell Road: The proposal will not give rise to harm through overshadowing or introducing an overbearing development given its separation from the shared side boundary, around 18m, and its position to the north of this neighbour. The distance from habitable room windows of the proposed dwelling to the rear garden of Number 42 exceed the minimum 10.5m distance as required within the SPD from habitable room windows to neighbouring gardens. It will therefore not cause significant harm to living conditions through overlooking the rear garden. The siting of the proposal also ensures that the habitable room windows to the side elevation are not directly facing any existing habitable room windows to this neighbour, and so there will not be significant harm caused through a loss of privacy.

The position of the access road and the parking area to the shared side boundary is not likely to give rise to significant detrimental harm through noise and general disturbance. This is the case as it will serve a single dwelling and as such vehicle movements are likely to be limited. Further, a condition has been recommended by the Council's Environmental Health Officers for an acoustic boundary.

It is therefore considered that the proposal is acceptable with regard to its impact on Number 42.

Number 38 Blundell Road: The proximity of the patio doors and clear glazed openings to the ground-floor elevation of the proposal facing the shared boundary does not give rise to concerns about harm through overlooking due to the height of the boundary between the two properties. The first-floor windows to this elevation are obscurely glazed and as such will not contribute to overlooking, subject to a condition for the level of obscured glazing and for them to be non-opening up to a specified height.

The proposal itself will be less than 4m from the boundary with this neighbouring property and being positioned to the south could give rise to harm through overshadowing. It is unlikely that it will give rise to harm through overshadowing habitable room windows due to the separation to the dwellinghouse at Number 38.

In respect of overshadowing the neighbouring garden, the proposal will have an eaves height of 5.4m increasing to a maximum ridge height of 8.7m. The angle of the roof ensures that the maximum height is approximately 5.5m in from the elevation adjacent to Number 38, but allied with the width of this elevation (12.8m) this does introduce a development that could overshadow this garden at key times through the early morning to midday, with the impacts greater when the sun is low.

It is considered that this building will overshadow the rear garden, particularly the area adjacent to the shared boundary and that this could be a relatively large area dependent upon the time of day and season. However, the rear garden to Number 38 is a substantial size and it is likely that large parts of it, if not the majority, will be free from overshadowing caused by the proposal. This then would not, in this instance, give rise to significant harm to the living conditions of current or future occupiers of this property given the remaining areas of garden that could be used.

On balance it is therefore considered that the proposal will not have an unacceptable impact on the living conditions for current or future occupiers of this property.

## **Other Matters**

### **Flooding & Drainage**

Reference has been made by objectors regarding flooding to this area and expressing concern that a further built development here would exacerbate this matter, as well as potentially impacting the neighbouring Network Rail land. Network Rail in their response raise no objections in principle to the proposal but then set out a number of concerns or requirements, particularly in relation to drainage.

In respect of the concerns raised both the NPPF and policy EQ8 'Flood Risk and Surface Water' require development to not increase flood risk elsewhere and, where possible, reduce the causes and impacts of flooding.

Further information on this matter having regard to site specific circumstances and the need to work with Network Rail was not sought from the applicant as it would not have overcome the character issue. In the event of any appeal or resubmission it is expected that such information would be provided.

### **Trees**

As set out in his response above the Council's tree officer requested a tree survey due to the proximity of trees that may be impacted by the proposal. This was not sought from the applicant as it would not have overcome the character issue. In the event of any appeal or resubmission it is expected that a tree survey would be provided.

## **Planning Balance**

At the heart of both the Local Plan and the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These roles are interdependent and must be jointly sought to achieve sustainable development.

As seen above the proposal is considered to be capable of providing sufficient living conditions for future occupiers, would not cause significant harm to the living conditions of neighbouring properties or cause harm to highway safety & amenity. Further, the use of conditions would likely address concerns over flooding and drainage. No weight can be given to these elements as these are policy requirements and must be met as a minimum for any development.

The proposal would provide one new residential property, which will help contribute to Sefton's housing supply. This would meet the social objective as set out in paragraph 8 of the NPPF but as the Council can currently demonstrate a five year housing land supply the contribution of one property will be negligible and as such has very limited weight.

Paragraph 80 of the NPPF states that significant weight should be placed on the need to support economic growth. The proposal through the construction of the dwelling and expenditure associated with an additional household in the area may provide minor economic benefits. Very limited weight is attached to this contribution to the economic objective set out in paragraph 8 of the NPPF.

The purpose of the dwelling to provide suitable accommodation for the applicants to live in and provide care for their elderly parents. This complies with the social objective set out in paragraph 8 of the NPPF of meeting needs of present and future generations. Weighing against the proposal, however, is the significant harm to be caused to the character of the area and the local distinctiveness of this grouping of properties, which would be contrary to that same social objective as it would not result in a well-designed built environment.

Taking all of the above into account the Council considers that the limited benefits of this scheme are substantially and demonstrably outweighed by the significant harm that would be caused to the character of the area. Consequently, it would fail to fulfil the environmental objective within the NPPF and thus would not represent sustainable development

## **Conclusion**

For the reasons set out above it is considered that as this proposal, due to its detrimental impact on the character of the area, does not represent sustainable development that it should be refused consent for the following reason:

The proposed development, by virtue of its position to the rear garden of Number 40 Blundell Road, would cause significant harm to the character of the area and local distinctiveness contrary to the requirements of the Local Plan, particularly policies SD1, EQ2, 'New Housing' Supplementary Planning Document and all other material considerations including the National Planning Policy Framework. The proposal is not sustainable development and is therefore unacceptable.

## Recommendation - Refuse

### Reason for Refusal

This application has been recommended for refusal for the following reason:

- 1) The proposed development, by virtue of its position to the rear garden of Number 40 Blundell Road, would cause significant harm to the character of the area and local distinctiveness contrary to the requirements of the Local Plan, particularly policies SD1, EQ2, 'New Housing' Supplementary Planning Document and all other material considerations including the National Planning Policy Framework. The proposal is not sustainable development and is therefore unacceptable.

### Informative:

- 1) For the avoidance of doubt this decision has been reached having regard to the following drawings:

000 'Location Plan'

200 'Proposed Ground Floor Site Plan'

201 'Proposed First Floor Site Plan'

210 'Proposed Plans, Elevations and Street Scene'

211 'Proposed Plans and Elevations Existing Dwelling'

300 'Existing and Proposed Site Sections'