

Report to: PLANNING COMMITTEE **Date of Meeting:** 20 October 2021

Subject: [DC/2020/02331](#)
[Land Off Bankfield Lane Southport PR9 7NT](#)

Proposal: Reserved matters consent is sought for appearance, landscaping, layout and scale for 156 dwellings and associated works (Pursuant to outline planning application DC/2017/00821 granted 20.10.20).

Applicant: See attached Applicants List sheet **Agent:** Mrs Helen Leggett
Emery Planning Partnership Ltd

Ward: Meols Ward **Type:** Reserved Matters

Reason for Committee Determination: Petition endorsed by Cllr Lewis

Summary

This is an application for reserved matters consent for the development of 156 houses following the granting of outline planning permission as part of a hybrid planning application (i.e. an application for part full and part outline planning permission). The outline element is referred to as Phase 2.

The principle of the development to provide up to 200 houses on Phase 2 has already been established by the granting of the outline approval. That outline approval had all matters reserved for later consideration bar access, which was found to be acceptable.

Therefore, the key matters for consideration are the acceptability of the proposed layout, scale, appearance and landscaping.

Recommendation: Approve with Conditions, subject to no objections being received from MEAS or Natural England on ecology grounds.

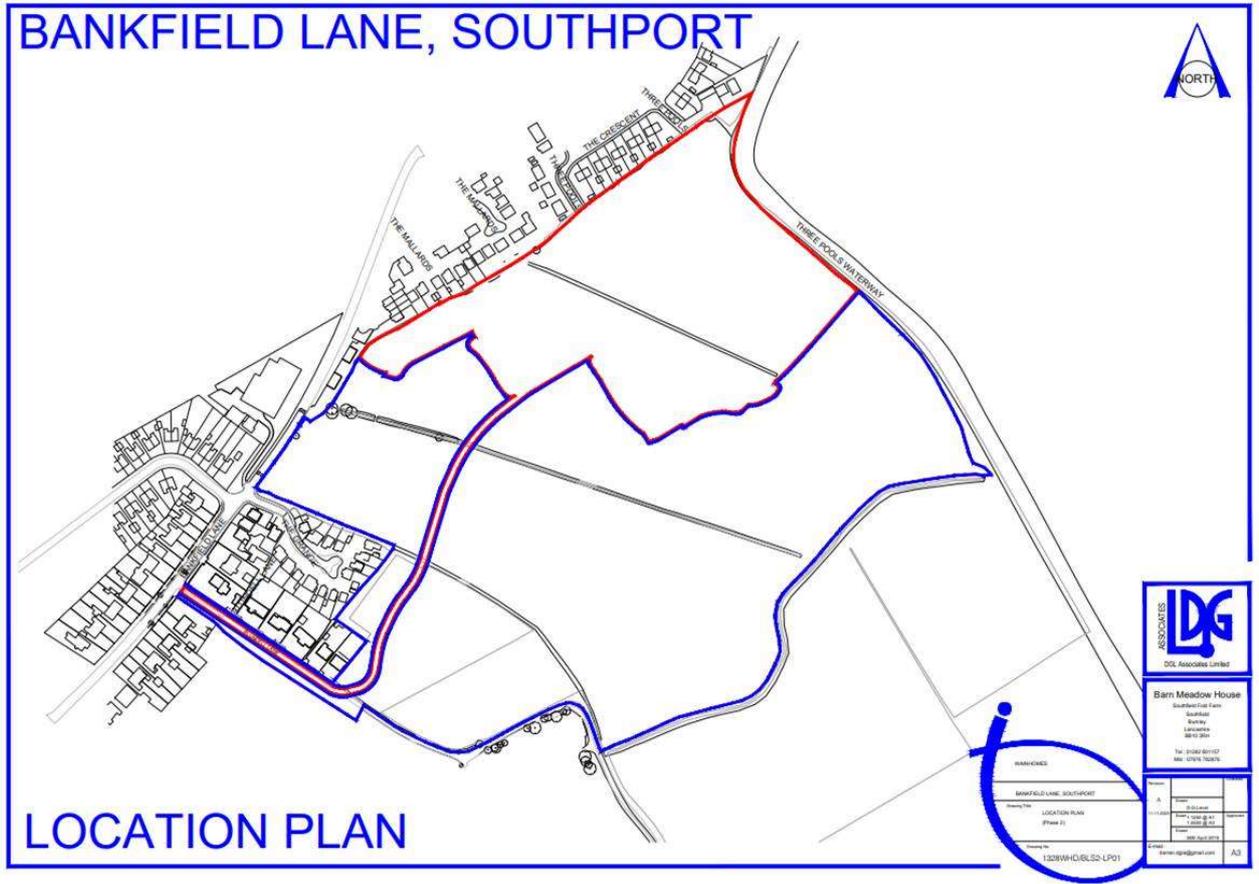
Case Officer Kevin Baker

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Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QJWCKPNWN4E00>

Site Location Plan



The Site

The site relates to a large development site comprising approximately 16.5 ha of arable land, with several small paddocks. The residential edge of Churchtown is located north and west of the site. A mix of modern and traditional residential properties bound the northern and western edge of the site, with housing and the former Phillips factory (now a development site for residential use) beyond on the opposite side of Bankfield Lane/Rufford Road. To the south and south east are open fields with the Three Pools waterway stretching along the eastern boundary.

There are three open ditches across the whole site one of these dissects the phase 2 site and runs in a west/east direction, connecting to an open ditch to the south boundary known as Captains Waterway.

The site is relatively flat, albeit it does slope downwards from the west towards the eastern boundary.

History

In 2018, members resolved to approve a hybrid planning application (i.e. an application for part full, part outline planning permission) for a residential development on land off Bankfield Lane subject to a section 106 legal agreement and various planning conditions (app.ref: DC/2017/00821). The Section 106 was formally signed and permission granted in October 2020.

The application granted full planning permission for 128 houses, with access taken from a widened Blundells Lane via Bankfield Lane, and the provision of 7.3ha of open space to the east of the site between the developable area and Captains Waterway. This element is referred to as Phase 1.

Alongside the full application, outline permission was granted for the erection of up to 200 houses, with access taken from Phase 1 and linking with the widened access off Blundell Lane. The outline permission granted details of access, with all other matters being reserved for subsequent approval. This element is known as Phase 2.

A separate application to alter the layout and house design of part of Phase 1 has been received but remains undetermined (App.ref: DC/2021/00924)

Consultations

Building Control

No objections

Conservation Officer

Acknowledge that the heritage statement refers to the old Unitary Development Plan policies. Also recommend that the landscaping be increased on the south-eastern edge of the built form to give a landscape buffer to respect setting of designated heritage assets and respect the contrast between built form and rural surroundings.

Contaminated Land Team

Repeat comments made on original application (i.e. requirement for standard contaminated land conditions).

Environmental Health Manager

No objection, subject to conditions.

Environment Agency

No objection.

Natural England

Require further information, in the form of a Habitats Regulations Assessment, to determine impacts on designated sites.

Tree Officer

No objections.

United Utilities

Acknowledge that notwithstanding the submission of the Flood Risk Assessment, drainage statement and drainage information, no details of the drainage design for foul and surface water as required by conditions 15, 16, 17, 18 and 19 of the original permission have been provided. Subsequently, there would remain the need to submit such details as part of a separate application for approval of details reserved by condition.

Merseyside Environmental Advisory Service

Require the Habitats Regulations Assessment (HRA) to be updated to reflect the reserved matters application, to take into account changes in habitat on site, more recent bird data and changes in case law relating the HRA. Advise that surveys will need to be up-dated to enable the HRA assessment. Recommend conditions relating to detailed planting, waste, energy efficiency and Japanese Knotweed.

Highways Manager

No objection.

Neighbour Representations

A petition containing 46 signatures and endorsed by Cllr Lewis has been received objecting to the proposal on ground of drainage, knotweed, house design and mix and residential amenity.

Residents

Representations have been received from local residents on Verulam Road, Blundell Lane, The Crescent, The Grange, The Mallards, Bankfield Lane, Three Pools, Scarisbrick New Road, Dawlish Drive, Lexton Drive, Bakers Lane, Bodmin Avenue objecting to the proposed development. The grounds of objection can be summarised as follows:

Principle

- Urbanisation of greenbelt land – land would be best used for farming.
- Loss of good farm land

Flooding and Drainage

- Existing flooding needs to be resolved before any development occurs
- No evidence of satisfactory surface water or sustainable drainage system.
- Foul water will be discharged to Bankfield Lane
- Increased flooding
- Foul sewer is unlikely to be able to cope with the foul sewerage from this and other developments in the area
- Land raising may result in new gardens draining into existing gardens
- Lacking drainage information
- Fundamental errors have been made in drainage report

Living Conditions

- Impact on privacy
- Increased noise and air pollution from increased traffic
- Loss of view
- Loss of light
- Substantial disruption to residents

Design and Character

- Takes no account of the character of the well established village and locality
- Style of housing is not acceptable in this area
- Scale and design is unacceptable
- Impacts significantly on conservation area – this has not been fully considered

Highway Safety

- Increased traffic and congestion to the site, along Bankfield Lane and in the wider area

- Only one access route which is contrary to Sefton's own policy and could not handle the amount of traffic and would be dangerous
- Restricted access will have an impact on emergency situations
- Schools nearby, increase traffic will be a risk to safety of children
- Transport links are poor
- Increased traffic affected by other developments nearby
- Parking within development insufficient
- Land should be accessed another way
- No details have been submitted on how the emergency access will operate
- Disruption to public transport routes
- Footpaths will cause accidents

Housing Mix and Tenure

- Affordable Housing is not near expensive housing, dotted along the border with existing housing.

Ecology

- Presence of Japanese Knotweed, which has not been treated properly and has already been spread
- Wildlife issues not been addressed, there will be a loss of wildlife on site
- Habitat, species and biodiversity documents are inadequate and out of date
- Flooding will harm water vole population

Other Matters

- Stress of existing infrastructure such as schools, doctors, dentists
- No industrial employment or jobs in the area
- Impact of construction traffic on local and wider area
- Impact on climate change
- Plans and papers are not accessible and poorly displayed
- Piling should be conditions for low impact quitter piles
- Conditions will be monitored closely
- Local gardens will become more congested ruining the quaintness of the village
- Impact on property prices
- Housing company not engaged with local residents
- Increased pollution from construction noise and dust
- Application has been submitted on misleading information, whilst information is missing to allow a full assessment to be made
- Development has been terribly planned and managed

Local Member of Parliament

Damian Moore has objected to the proposal, but not expressed any reasons for his objections.

Policy Context

The application site is allocated for housing (MN2.2 Land at Bankfield Lane, Southport) and open space in the Sefton Local Plan which was adopted by the Council in April 2017.

Assessment of the Proposal

The principle of the development to provide up to 200 houses on Phase 2 (to which this application relates) has already been established by the granting of outline approval within the hybrid application. That outline approval reserved all matters for later consideration bar access, which was found to be acceptable.

Therefore, for this proposal the key matters for consideration are the layout, scale, appearance and landscaping.

Layout

The hybrid application approved the detailed housing layout for Phase 1 of the development, which sits to the west of Phase 2. The Phase 1 layout included a single access off Blundell Lane running through the site and leading into Phase 2. The detailed layout submitted with this reserved matter application continues this access route through the development, maintaining the single access point.

The housing layout is complementary to that approved under Phase 1, with houses orientated in a manner that provides passive surveillance, both to the street and to the public open spaces, and benefitting from private garden areas. Similar to Phase 1, parking courtyards would be used to limit the extent of frontage parking and provide a more aesthetically pleasing street scene throughout.

The interface distances between the front elevations of some of the plots fall slightly below the recommended standard. However, this impact would be known to the future occupiers and would impact on the front rooms where a reduced level of amenity is already expected due to the regular passing of vehicles and pedestrians.

The level of private amenity space for two of the plots also is slightly less than recommended. However, this shortfall would be minimal and would affect a very small number of properties when having regard to the overall development site and number of properties proposed. The shortfall would impact on two of the Langley house types (plot 35 and 250) which offer an apartment style of accommodation within the development and would provide a total area of 43sq.m and 49sq.m respectively instead of the recommended 50sq.m.

In respect of the impact on existing properties, the layout has had regard to outlook, overshadowing and privacy by adhering to or exceeding the Council's guidance on interface distances.

Properties would be sited in a manner that would respect the existing ditch that cuts through the site, whilst allowing room for access. The same can be said with regards to the Three Pools waterway, in respect of which cross sectional drawings demonstrate that an acceptable easement can be maintained to allow the Environment Agency to access the waterway. The Environment Agency has raised no objection in this regard.

Similar to Phase 1, pedestrian links through the site would be introduced connecting the development to the open space (approved under the hybrid application).

Pedestrian and cycle links would be provided, establishing good connections through the development to the wider area and open spaces.

Overall the layout is considered to be acceptable.

Scale

The hybrid application granted outline permission for up to 200 houses for Phase 2. The reserved matters application proposes a total of 156 houses. Combined with the 128 houses approved under Phase 1, a total of 284 houses would be provided. This would be marginally below the indicative capacity identified in the Local Plan (i.e. 300) and will provide a density of approximately 33 dwelling per hectare across both phases. Despite the reduced house numbers, the density would be consistent with the character of the area and compliant with policy HC3 of the Local Plan.

As is evident from the submitted house types, the proposed houses will offer a mix of two-storey detached, semi-detached or terraced properties with heights complimenting those approved in Phase 1 and the general scale and massing in the locality.

Appearance

As with Phase 1, the proposed development would include standard house types, offering a mix of two storey detached, semi-detached and terraced housing. A traditional material palette is proposed including brick, tile and render. The housing is of good design, would in general complement that existing in the locality (and proposed in Phase 1) and would add active built frontages to key streets and open areas.

Frontage parking would be broken up with soft landscaping, whilst the use of parking courtyards would complement that proposed within Phase 1 and would help to improve the overall appearance of the new street scene within the development.

Details of boundary treatment and levels have not been provided at this stage, but are controlled by way of planning condition attached to the original permission.

Landscaping

The original application approved an area of open space to the east of the proposed housing. Just

like Phase 1, Phase 2 proposes a formal play area/landscaped area adjacent to the wider open space to help soften the transition between open space and built form. Tree planting throughout the site would help soften the built form within the surrounding area and would improve on that approved under Phase 1. Similarly, the retention of an existing ditch adds natural features, introducing a further green corridor within the development site and helping to protect and enhance wildlife on the site. As identified above, properties would be orientated so as to face these open spaces, providing natural surveillance and ensuring they become an inclusive element of the development.

The original application was supported by a general landscape strategy for the whole area, along with a connectivity analysis. This looked at ways to introduce features that would make the area attractive and inviting whilst enhancing opportunities for existing wildlife and complementing the general character of the wider area. It also looked at ways to improve the connectivity of the open space, the residential development and other recreation spaces in the local area. Based on the initial strategy and analysis, it is considered that Phase 2 would be consistent with this. The detailed planting drawings have not been submitted, but would be required by condition attached to the hybrid application.

Other Matters

Housing Mix

It was acknowledged that Phase 1 did not fully comply with Policy H2 'Housing Type, Mix and Choice' of the Local plan (with regards to 3 bedroom houses). However, it was considered that the marginal inconsistency could be accommodated within any subsequent application for Phase 2.

The applicant has submitted a housing mix schedule, which demonstrates that the number of 1, 2 and 3 bedroom houses for Phase 2 would exceed the percentage requirement as set out in policy HC2 (Housing Type, Mix and Choice) of the Local Plan. Overall, the proposal would ensure that the housing mix across both phases would be consistent with the Council's aims for an appropriate housing mix.

Affordable Housing

The layout shows that 55 affordable units are to be provided within Phase 2. Along with the 49 affordable units proposed in Phase 1, it is considered that the development would comply with the 30% requirement as set out within Policy HC1 of the Local Plan. The distribution of affordable housing units is not entirely consistent with the requirements of HC1 in that there is a greater concentration of affordable housing in some areas above that recommended in the policy (i.e. Plots 208 to 218). However, the inconsistency is marginal and when assessing both phases is considered acceptable on balance.

Built Heritage & Archaeology

In the original officer report, it was concluded that the site had negligible archaeological potential, whilst the development would not impact on the setting and views of Meols Hall (a grade II listed building) or the setting of Churchtown Conservation Area. Phase 2 has no greater bearing on the initial assessment and is therefore acceptable in this regard. The Council's conservation officer has recommended that the landscaping be increased on the south-eastern edge of the built form to give a landscape buffer to respect setting of designated heritage assets and respect the contrast between built form and rural surroundings. However, the landscaping is consistent with the framework initially approved, introducing a more formal buffer between the housing and the wider open space to the east. This is consistent with the design of Phase 1 and overall it is considered the development is acceptable and compliant with policy NH11 'Works Affecting Listed Buildings', NH12 'Conservation Areas' and NH14 'Scheduled Monuments and Non Designated Archaeology' of the Local Plan.

Flooding & Drainage

The original application was supported by a Flood Risk Assessment (FRA) along with a Surface Water Drainage Strategy and Utilities Statement. This considered both phases, assessed the potential sources of flooding to the development site and presented measures to mitigate the risk of flooding.

The report concluded that the application site is suitable for residential development and would not give rise to flooding concerns, subject to the provisions of appropriate mitigation measures (including the raising of land).

Whilst the FRA touched upon the effect of the proposed development on surface water runoff and a potential surface water drainage scheme, this was addressed in more detail within a separate surface water drainage strategy. This proposed the use of a separate system for surface water (rather than combined with foul water) and proposed to take advantage of existing ordinary watercourses within the site as part of the overall surface water management system.

Phase 2 is consistent with this approach in principle. However, the current strategy for Phase 2 proposes to utilise the central ditch in Phase 1, to serve Phase 2 in part. This is contrary to that suggested in the original surface water drainage strategy, and is being reviewed further by the applicant. Any update will be reported as a late representation. That said, several conditions were attached to the original permission and remain relevant to this application. This includes condition 15 which seeks the submission of 'a site-wide strategy for foul and surface water drainage' for approval by the Council, prior to commencement of development. This will, in any case, address in full the management of surface water across the site as a whole.

Impact on infrastructure

Residents have raised concern regarding increased pressure on local services, including impact on local schools and health services. This was a concern initially expressed under the hybrid application, but it was concluded that the proposed development would be acceptable in this regard. Given the

hybrid application granted outline approval for up to 200 houses for Phase 2, the reduced number of houses proposed under this application does not give rise to any additional concerns that were not originally addressed.

The section 106 legal agreement approved under the hybrid application does secure a commuted sum of £2,129.15 per house under Phase 2, along with £244,852 in total for Phase 1. This remains consistent with policy IN1 (Infrastructure and Developer Contributions) of the Local Plan.

Ecology

The hybrid application identified the various ecological issues across the site including the potential likely significant effects relating to increased recreational pressure on designated sites, the impact on the local wildlife site and water vole, and Japanese knotweed.

A Habitats Regulations Assessment was completed for the hybrid application and the Council's ecological advisors, Merseyside Environmental Advisory Service (MEAS), have confirmed that this reserved matters application is in line with the hybrid application and 'likely significant effects' identified for the outline scheme remain unchanged (i.e. no likely significant effects subject to various mitigation measure being secured by condition or section 106 agreement). Nevertheless, the Council's ecological advisors have confirmed that an updated Habitats Regulations Assessment would be required for the Reserved Matters to take into account any changes in habitat on site, more recent bird data and due to changes in law.

To enable this, MEAS have requested an updated ecological appraisal, including (but not limited to) updated surveys on birds, water vole and otter. The applicant has reviewed the ecology report and submitted updated surveys. This is still being considered by MEAS, comments on which will be reported as a late representation along with any updated comments from Natural England regarding the Habitats Regulations Assessment.

Further concerns have been expressed from residents regarding the presence of Japanese Knotweed on site. This was recognised within the hybrid application and conditions were attached to ensure updated surveys and restrictions are in place to address this matter.

Highway Safety

Various concerns have been expressed from residents regarding increased congestion, the use of a single access point and vehicular and pedestrian safety. Such matters were considered in detail under the Hybrid application, including the use of a single access to the site for Phase 1 and 2.

The Highways Manager has raised no objection to the layout proposed under Phase 2 and is satisfied that there is sufficient car parking provision to serve the development.

Construction

Various concerns have been expressed by residents regarding increased noise and disturbance from construction traffic and the impact of increased traffic on the local highway network and wider area.

Objections have highlighted that the development of the adjacent Phillips site for residential development and the drainage works off Blundell Lane by United Utilities, will only exacerbate the disturbance.

It is inevitable that there will be an increase in noise and disturbance, however, a condition was attached to the hybrid application seeking the submission and approval of a full construction environmental management plan to minimise the impacts as far as possible.

Conclusion

The principle of residential development on Phase 2 was established under the hybrid application, which granted outline planning permission for up to 200 houses. The access arrangement was also granted permission with matters of layout, scale, appearance and landscaping being reserved for subsequent approval. This application provides further detail regarding these outstanding matters.

The drawings and information submitted demonstrate that the scale of the development would be consistent with the parameters set at outline stage and would achieve the recommended density standards as set out in the Local Plan.

The proposed housing would not cause significant harm to the living conditions of existing residents or those who would occupy the new houses approved under Phase 1. There are minor reductions in the expected standards for distances between fronts of dwellings and the size of private garden areas for a small number of properties within the development, but this is considered acceptable when viewed as part of the wider development.

The layout and design of the proposed houses would ensure the development connects well with Phase 1 and areas of open space. Key street frontages and public open spaces would benefit from natural surveillance, whilst the chosen house types would complement that approved under Phase 1. No harm would be caused to the character of the area or to existing local heritage assets.

In line with the section 106 legal agreement, the proposed development would meet the Council's affordable housing standards and would provide an acceptable housing mix.

Landscaping would be provided within the site, with the use of soft landscaping to the eastern and southern boundaries to soften the appearance of the adjacent land and integrate well with the allocated open space approved under the hybrid application. The proposal would also incorporate landscaping along the existing ditch which would support existing wildlife and would provide green spaces through the development.

The development is overall consistent with the principles identified with the Flood Risk Assessment and Drainage Management Strategy and whilst there is some discrepancy regarding the discharge of surface water for Phase 2 (i.e. into the existing ditch at Phase 1), this can be addressed through the conditions attached to the hybrid application.

Updated ecological surveys are being reviewed by the Council's ecological advisors (MEAS), and their comments will be reported as a late representation. However, it is considered that the scale and layout of development is in line with the assessments initially carried out under the hybrid application and which were found to be acceptable.

Finally, it is acknowledged that various objections have been made on matters of principle, access, congestion, pressure on infrastructure, Japanese knotweed and construction. However, such matters were fully addressed under the hybrid application and, where necessary, measures secured by either planning condition or section 106 legal agreement. There are no other matters raised that give rise to concern.

It is therefore recommended that the application be approved, subject to no objections being received from MEAS or Natural England on ecology grounds.

Recommendation - Approve with Conditions, subject to no objections being received from MEAS or Natural England on ecology grounds.

Approved Plans

- 1) The development shall be carried out in accordance with the following approved plans and documents:
 - 1328WHD/BLS2-LP01
 - 1328WHD/BLS2-PL01 Rev.M
 - Strategic Landscape Masterplan: 001 Rev B
 - E-H-P1
 - LAN-AP1
 - LAN-B-P1
 - NEL-P1
 - PRIESTLEY 4B6P HT
 - 3.113/P/BU/10/300
 - 4.209CB/P/BU/L10/300
 - 3.217/P(FG)/BU/L10/300
 - 3.1135ACB/P/BU/M4(2)
 - 2.214/P/BU/L10/300
 - 3.118SACB/P/BU/L10/300
 - 4.342/P/BU/L10/300 Rev.B
 - 4.201/P/BU/L10/300 Rev.A
 - 4.341/P/BU/L10/300 Rev.A
 - 3.205CB/P/BU/L10/300

Reason: For the avoidance of doubt.