

Report to: PLANNING COMMITTEE **Date of Meeting:** 16th March 2022

Subject: [DC/2021/01452](#)
[25 Weld Road, Birkdale, Southport, PR8 2DR](#)

Proposal: Erection of a three-storey building comprising 9 apartments and associated landscape works including raising the floor slab levels by 550mm (part alternative to planning reference DC/2020/00586)

Applicant: Intunique Developments Ltd. **Agent:** Mr. Gary Willis, Aldrock Ltd

Ward: Dukes Ward **Type:** Full application - Major (as submitted)

Reason for Committee Determination: More than 5 objections received

Summary

This application seeks consent for the erection of a three-storey block of 9 apartments to the front of a cleared site on Weld Road, Birkdale that has implemented a permission for a three-storey block of 6 flats (plus three houses to the rear of the site). As the principle of development and a general extent of development has been established through the implemented permission the main issues to consider for this proposal are the material changes between the extant approval and the development as proposed.

It is considered that the changes in appearance, an increase of 3 units and the raising of finished floor levels does not cause any detrimental harm to the character of the area and that the impacts to neighbouring properties will be no greater than that previously considered acceptable. It is therefore recommended that the application is granted consent with conditions.

Recommendation: Approve with Conditions

Case Officer Neil Mackie

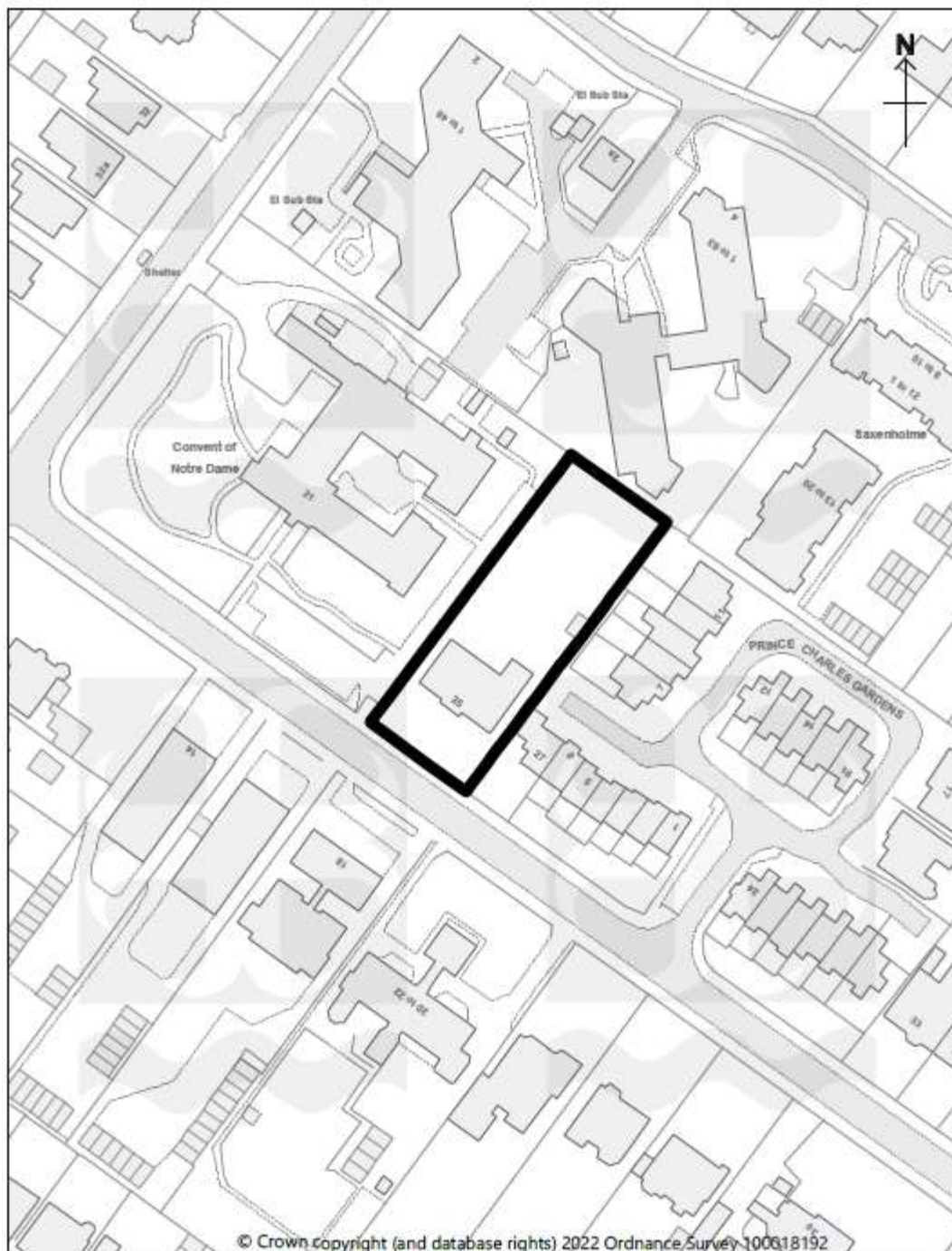
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QU16U8NWKDW00>

Site Location Plan



Sefton Council



Reference: Map reference

Date: 25/02/2022

Scale: Scale 1:1250

Created by: Initials

The Site

A cleared site accessed off Weld Road within a primarily residential area of Birkdale that has extant permission for residential development.

History

Planning permission was granted in 2020 for the erection of a three-storey block of 6 flats to the front of the site along with 3 houses to the rear after the demolition of the existing building. This application has recently been varied to allow for amendments to the appearance of the three houses as well as the raising of the ground level to address drainage matters.

Consultations

Contaminated Land Team

No objection to the proposed development and confirm that no works are required in respect of land contamination.

Tree Officer

The site appears to contain some poor-quality scrub which would be removed as part of the proposed scheme. As the loss of this vegetation is mitigated with the submitted landscaping scheme I have no objections to the application.

Merseyside Environmental Advisory Service

No objections to the proposal following confirmation the existing building has been demolished. A Habitats Regulations Assessment was undertaken and found that the proposal would have no likely significant effects on protected sites.

Environmental Health Manager

No objections to the proposal.

Highways Manager

There are no objections in principle to the proposals as there would be no adverse highway safety impacts, subject to a number of conditions being attached to any approval.

United Utilities

Following receipt of amended details no objection subject to conditions requiring the implementation of the submitted drainage layout as well as ensuring foul and surface water are drained on separate systems.

Flooding & Drainage

Following amendments no objection to the proposal subject to a condition requiring the implementation of the submitted drainage layout.

Neighbour Representations

Objections received from Numbers 1, 2, 5, 10, 12, 14 & 15 Hollyhurst Lodge Weld Road, Numbers 7, 8, 10 & 11 Prince Charles Gardens and an unknown property.

A number of objectors have made reference to this application as well as that for the variation to the consented houses at the rear of the site (reference DC/2021/01700) and as such it isn't clear in some representations as to what issues related to which application (or they relate to the original application). As such, where the comments are not clear they have been applied to this application as well as to DC/2021/01700.

Objectors have raised the following points, with flooding and highway concerns the most frequently mentioned:

Character of the Area

- Proposal is an overdevelopment of the site, not in keeping with adjacent housing
- Three-storey development is out of character, where there are only two-storey properties

Flooding & Drainage

- The proposal does not address local concerns regarding flooding
- At present the site has been suffering from excess surface water, with standing water regularly seen
- Consider that the use of a soakaway will not work to this site
- Consider that excess surface water arising from the development will drain onto Weld Road and adjacent properties

Harm to Neighbouring Properties

- Likely to require piling, which could affect houses close to the site
- Harm arising through overlooking of neighbours
- Harm caused through overshadowing of neighbours
- Vehicle movements to rear parking area will cause harm

Car Parking

- Too few spaces to serve the site and visitors
- Spaces are too small, and contrary to Council guidance
- Weld Road is very busy and any additional on-road parking would be detrimental to safety
- Insufficient on-site car parking will cause visitors/occupiers to park on Weld Road and Prince Charles Gardens
- Further on-street car parking will cause an unnecessary additional hazard and danger to people turning onto or crossing Weld Road.

Future Living Conditions

- Outside communal gardens for the flats is very limited

Councillor Watson has also submitted an objection to this proposal, supporting the observations made by local residents.

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 is seeking consent for the erection of a three-storey building of 9 apartments along with the raising of the floor slab levels by 550mm.

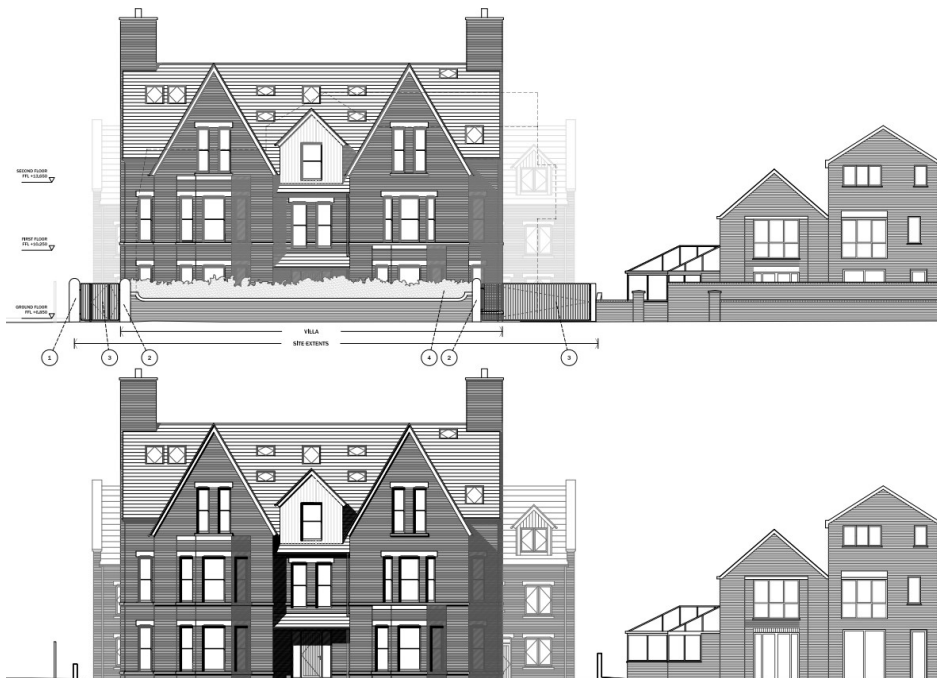
Members may recall the extant permission for this site for a three-storey block of 6 apartments along with three houses (reference DC/2020/00586) that was determined by Committee at its meeting on 30th September 2020, the report for which is attached as Appendix 1.

This application will supersede that approved, in part, through increasing the number of flats to the frontage flat block as well as amending the appearance of the development. The principle of development has been established by that consent, which has been implemented, and that represents a realistic fallback to which significant consideration must be given.

In view of the fallback the main issues to therefore consider are the changes between that approved and that proposed, focussing on any material changes to the impact on the character of the area, the living conditions for future occupiers and the impact on neighbouring properties.

For ease the elevations of the approved development and the proposal are set out below:

Approved Elevations



Proposed Elevations



Character of the Area

As with the approved design, the proposal will be of a symmetrical appearance with two projecting gables to either side albeit at a shallower angle and less pronounced than as approved. The chimneys from the extant permission are not included, with a hipped roof rather than a dual pitched roof with gable ends.

In scaling the proposed elevation and that of the approved elevation, the proposal is 0.5m lower to the ridge height (12.4m versus 12.9m), 0.4m higher at eaves height (8.5m versus 8.1m) and the building (excluding roof overhang) is 0.4m wider than that previously approved (19.5m versus 19.1m).

This alternative design approach, most notable for the omission of chimneys, will not represent a reduction in design quality over that as approved. The views of the Council's conservation officers that the "three-storey building is acceptable in size, mass, style and height" are agreed with.

On this matter it is considered that the proposal is compliant with the aims and objectives of the Local Plan and all other material considerations.

Living Conditions

Future Occupiers

Good outlook will be provided to each of the flats and the individual room sizes and overall flat sizes meet or exceed the recommendations within the Council's guidance for flat developments.

In respect of the provision of private outdoor amenity space 3 of the 9 flats fall below the recommended minimum of 20m² per flat, with the outdoor areas to these flats being no more than 16m² (80% of the requirement). Within the extant approval 3 of the 6 flats has a shortfall (two at 16m² and one at 19.4m²) and so this current application provides no worse a situation based upon the proportion of flats overall that have a shortfall. The Council's guidance for flats does allow for a shortfall in the provision of private outdoor amenity space where, as applicable here, the proposal is "within easy walking distance to a local centre, where the benefits of being close to community facilities and public transport are significant". As is evident, this site is close to Birkdale local centre with the benefits that this would bring. In addition the application site is also within close walking distance of the coast. Each flat will have its own private area of outdoor amenity space that will provide space for drying of clothes, for example, while the nearby coast and local centre will provide for wider leisure and recreation needs. On balance it is therefore considered that the shortfall here is acceptable.

Neighbouring Properties

This proposed development will not, by virtue of its scale, siting and appearance cause any greater impacts to the living conditions of neighbouring properties through overshadowing or a loss of privacy.

The increased number of units to this part of the site is likely to result in an increase in comings and goings, both vehicular and pedestrian, but such an increase will not be materially more harmful to the living conditions of neighbouring residents than that previously considered. The previous approval recommended a condition seeking an acoustic boundary to mitigate any potential impacts from vehicular traffic to the flat development (as well as the houses to the rear) and the same could be attached here in the event of an approval.

Further, the increase in ground level to the site (no more than 0.45m) will not result in any greater impacts on neighbouring living conditions by itself or in combination with matters relating to overshadowing, loss of privacy or noise impacts.

Screens can be installed to the sides of the outdoor terraces, where necessary, so as to ensure that they do not cause unacceptable impacts on privacy to neighbouring properties.

The proposal is acceptable on this point.

Other Matters

Flooding and Drainage

So as to address concerns from the Lead Local Flooding Authority (LLFA) and United Utilities (UU), the development involves the raising of the finished floor level, plus a raising of the ground levels in the site as a whole. This, along with the submitted drainage details, has satisfied both the LLFA and UU in respect of surface water drainage and this approach ensures compliance with the Local Plan in respect of flooding.

Highway Safety & Amenity

While objectors have raised concern regarding the number of car parking spaces to be provided on-site as well as the impacts on the movement of vehicles along Weld Road, this view is not supported by the Council's Highway Manager. The Highways Manager considers that there is sufficient on-site car parking facilities and that the proposal will not cause harm to the movement of vehicles along Weld Road.

Recreational Pressure

A Habitats Regulations Assessment was undertaken by the Council's ecological advisors, Merseyside Environmental Advisory Service (MEAS), which concluded that there are no likely significant effects arising from this development. The development as amended falls under the proposed 'Sefton Recreation Mitigation Scheme', which applies to developments of 10 or more new homes in Sefton. As this proposal provides for 9 units the contribution towards projects that help reduce the impact of coastal visitors is not required. Further, the requirement for production and provision of a leaflet setting out the nature importance of the Sefton Coast for all first-time occupiers of the flats is also not required.

Conclusion

In view of the above it is considered that the proposal is appropriate to the character of the area, will provide sufficient standard of living conditions for future occupiers and will not cause unacceptable impacts to the living conditions of neighbouring properties, and will be acceptable in highway safety terms. The proposal complies with the aims and objectives of the Local Plan and all other material considerations.

It is therefore recommended that this application is granted consent with the conditions that follow.

Recommendation - Approve with Conditions

Time Limit for Commencement

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

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

Approved Plans

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

Plans

LP 001 'Location Plan'
001 Rev 'Site Layout'
002 Rev A 'Proposed Contextual Elevations - Villa'
V001 Rev A 'Proposed Plans - Villa'
V002 Rev B 'Proposed Elevations - Villa'
2028 Rev A 'Landscape Key Plan'
2028 Rev A 'Proposed Landscape Plan - Sheet 1 of 3'
2028 Rev A 'Proposed Landscape Plan - Sheet 2 of 3'
2028 Rev A 'Plant Schedule, Specification Notes & Details'
CL8589-002 Rev T3 'Proposed Drainage Layout'

Documents

Solar Study 30/03/21
Highways Note, ref P21015
Final Ground Investigation Report, ref 31576-SUT-ZZ-00-RP-G-702-0002
Flood Risk Assessment & Drainage Management Strategy, ref CL8589-DMS-VS issue No 5

Reason: For the avoidance of doubt.

Before the Development is Commenced

- 3) No development shall commence, including any works of demolition, until a Highways Construction Management Plan has been submitted to, and approved in writing by, the local planning authority.

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

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

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

During Building Works

- 5) The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing CL8589-002, Rev T3- Dated 20/08/21, (inputted on the planning system on 14/01/2022) which was prepared by SWF. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 6.5 l/s into the public surface water sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Before the Development is Occupied

- 6) No part of the development shall be brought into use until visibility splays of 2.4 metres by 25 metres at the proposed junction with Weld Road have been provided clear of obstruction to visibility at or above a height of 1m above the carriageway level of Weld Road . 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.

- 7) No part of the development shall be brought into use until visibility splays of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway have been provided clear of obstruction to visibility at or above a height of 1 metre above the footway level of Weld Road.

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.

- 8) No part of the development shall be brought into use until a means of vehicular and pedestrian access to the development has been constructed.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

- 10) No part of the development shall be brought into use until space and facilities for cycle parking have been provided and these facilities shall be retained thereafter for that specific use.

Reason: In the interests of highway safety.

- 11) The development shall not be occupied until details of electric vehicle charging points (to a level required by Supplementary Planning Document 'Sustainable Travel and Development') have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until the electric vehicle charging points have been installed and are operational in accordance with the approved details.

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) The screening of the terrace/balcony to the side elevation facing Prince Charles Gardens shall be installed prior to the first occupation of the relevant flat and maintained as such thereafter.

Reason: In the interests of the living conditions of neighbouring properties.

- 13) To improve biodiversity details of bat boxes and bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) to be placed or erected within the site must be submitted to the Local Planning Authority for approval prior to the occupation of any of the units hereby approved.

The bat and bird boxes must then be installed prior to occupation of any dwelling and maintained as such thereafter.

Reason: In the interests of biodiversity

- 13) No residential unit hereby approved shall be occupied until details of full fibre broadband connections to all proposed dwellings within 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 any dwelling in accordance with the approved details.

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

- 14) a) Prior to the occupation of any dwelling hereby approved a plan indicating the height, extent and material for an acoustic boundary to the side boundary with Number 27 Weld Road and Prince Charles Gardens along the access road must be submitted to an approved by the Local Planning Authority.

b) The boundary treatment shall be completed as approved before any of the units are occupied and maintained as such thereafter.

Reason: To mitigate noise impacts arising from movements of vehicles along the access road.

- 15) Prior to first occupation of any of the houses a validation report demonstrating that the drainage scheme has been carried out in accordance with the approved drainage layout shall be submitted to and approved in writing by the Local Planning Authority.

The approved works shall be retained as such thereafter.

Reason: To ensure adequate provision is made for the management of surface water and sewage disposal.

Ongoing Conditions

- 16) Within the first planting/seeding season following completion of the development, or to an agreed timetable, 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.

- 17) Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

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.

**Appendix 1 – Committee Report for extant
approval DC/2020/00586**

Report to: PLANNING COMMITTEE **Date of Meeting:** 30th September 2020

Subject: [DC/2020/00586](#)
[25 Weld Road, Birkdale, Southport, PR8 2DR](#)

Proposal: Erection of a three-storey building comprising 6 apartments, together with 3 houses and associated landscape works following demolition of the existing building.

Applicant: Mr. Mark Heggarty
Birkdale Village
Developments Limited

Agent: Mr. Mathew Giles
MgMaStudio Ltd.

Ward: Dukes Ward

Type: Full application - MAJOR

Summary

The proposal seeks approval for the erection of a block of 6 flats to the front of the site and a row of three houses to the rear of the site following the demolition of the existing building. The main issues to consider in respect of the proposal are the principle of development, the impact on the character of the area, the loss of a non-designated heritage asset, the living conditions for future occupiers and the impact on the living conditions of neighbouring properties.

For the reasons set out it is considered that the proposal is appropriate in its context, will provide suitable living conditions for future occupiers and will not cause significant harm to living conditions of neighbouring properties. Further, the benefits arising from the proposal outweigh the harm from the loss of the non-designated heritage asset. It is therefore recommended that the proposal is granted consent with conditions.

Recommendation: Approve with Conditions

Case Officer Neil Mackie

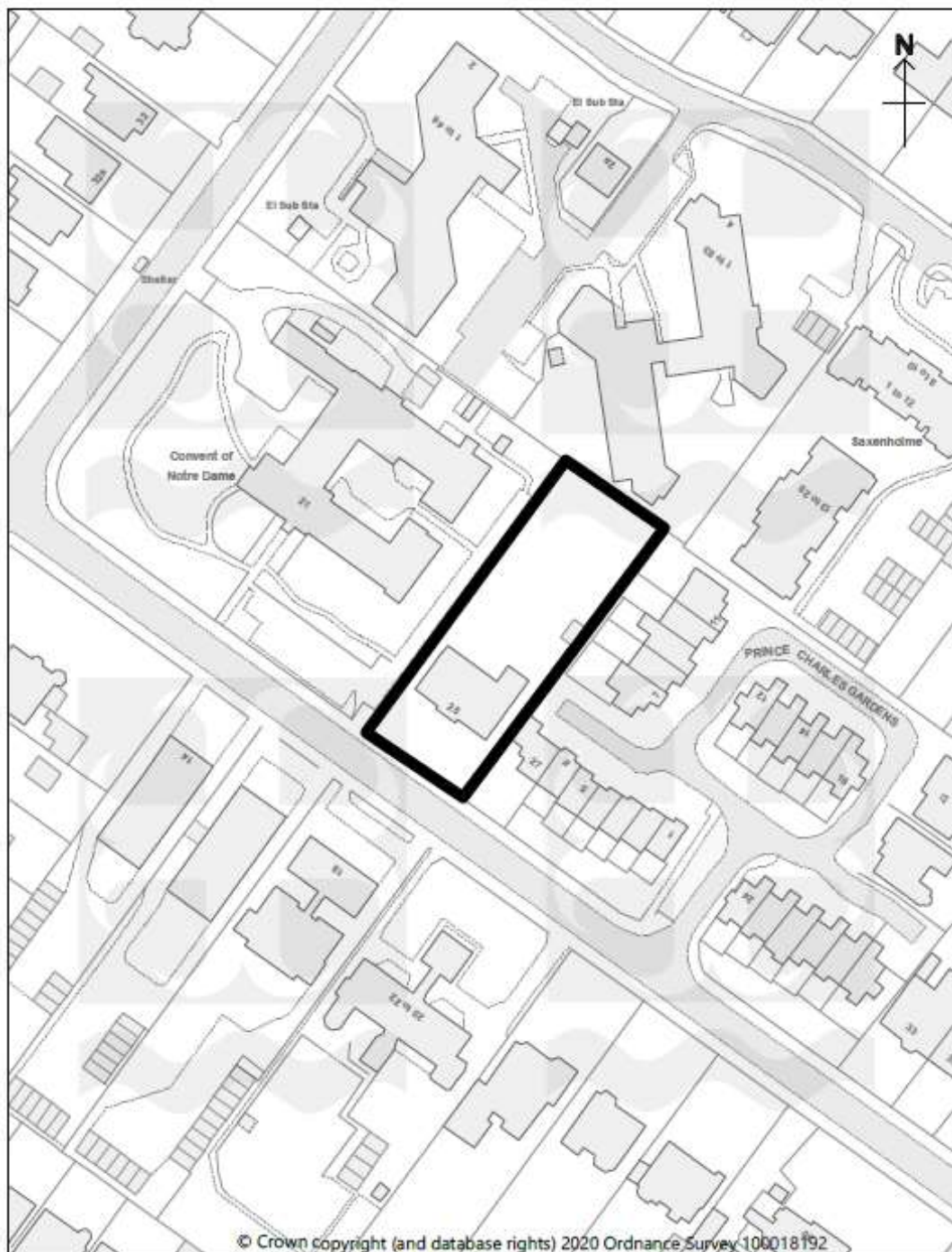
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q87WFNNWJ7E00>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 16/09/2020
Scale: Scale: 1:1250
Created by: Initials

The Site

A detached building on Weld Road within a primarily residential area of Southport.

History

N/1999/0728 - Outline Application for the erection of a three storey block of 12 self-contained flats (7 x two-bed and 5 x one-bed) with two blocks of garages (12 in total) to the rear after demolition of existing building. Approved 25th November 1999.

N/1989/0473 - Erection of a detached bungalow in the rear garden to be used in connection with the existing residential home. Refused 28th June 1989.

Consultations

Contaminated Land Team

Due to the sensitivity of the development and based on the information submitted by the applicant it is recommended that 4 of the standard Contaminated Land conditions are attached to any approval.

Highways Manager

There are no objections in principle to the proposal as there are no adverse highway safety impacts.

The site is located in close proximity to the district centre and is in an accessible location with easy access to bus routes on Weld Road and Lulworth Road and Birkdale Train Station is within 400m.

The position of the new access road where it meets Weld Road should afford adequate visibility in both directions for drivers leaving the site.

The proposed vehicle access will be gated, with the gate set back from the highway enabling vehicles to wait within the curtilage of the site whilst the gates are being opened, without obstructing the highway.

It is proposed that each dwelling will have at least two car parking spaces, which is appropriate given the size and location of the site.

Electric vehicle charging points will be required.

Suite of conditions recommended to be attached to any approval.

Merseyside Environmental Advisory Service

Comments on amended scheme and further information to be provided in Late Representations

Tree Officer

No objection to the loss of low quality trees/shrubs and hedge within the site subject to suitable replacement planting.

Natural England

No objection.

United Utilities

No objection subject to conditions requiring sustainable drainage scheme and that foul and surface water are drained on separate systems

Neighbour Representations

Application as Originally Submitted

Objections from 8 properties on Prince Charles Gardens, Weld Road, Saxon Road and Liverpool Road.

Points of objection are:

Character of the Area

Proposal will harm existing character of the area

3-storey houses are out of character and overbearing in an area of 2-storey developments

No similar developments within the area

Density of development is too great

Loss of trees within the site is harmful

Upset that this incredible building will be demolished as properties like this should be conserved

Detrimental Impact on Neighbouring Properties

Currently no development beyond existing property, introduces obvious and overwhelming development

Neighbouring properties will be overlooked

Neighbours will have loss of privacy

Neighbouring properties will be overshadowed/loss of light

Proposed houses will introduce poor outlook from neighbouring properties

Houses will be overbearing and have a dominant effect on habitable rooms

Increased noise & disturbance from motor vehicles accessing the parking areas to the rear of the site

Disturbance from occupation and use of four houses to the rear of the site

New landscaping will block light into neighbouring gardens and properties.

Disturbance and harm arising from demolition and through construction

Insufficient Living Conditions for Future Occupiers

Lack of outdoor space for the flats - with public open space more than a mile away
Query the size of the rear gardens to the houses

Highway Safety and Amenity

Application underestimates the speed and volume of traffic on Weld Road and issues with on-street car parking

No regard has been had as to the junction of Prince Charles Gardens on to Weld Road, which is within 60m of the site

Proposal will have a negative impact on traffic flows and movements along Weld Road and Birkdale Village

Inadequate on-site car parking to support the proposal

General Comments

No consultation by the applicant with neighbouring properties

The submitted design and access statement is incorrect in stating that neighbours adjacent to the proposed houses are 3 storey when they are 2 storey.

Query need or demand for this development

House to the rear has previously been refused

Concerns that opening up access to the rear of the site will contribute to increased crime to rear of properties on Prince Charles Gardens

In addition a representation was received from the Merseyside & West Lancashire Bat Group stating that further surveying was required to fully assess the impact on bats.

Councillor Watson also made representations regarding this application, stating initially that on balance the application would enhance the area, but he had concerns as to the increase in density.

A property on Weld Road submitted a neutral representation stating that they were surprised that there is no mention of solar panels on the roof or charging points for electric cars as part of the development.

Application as Amended

Objections from 2 properties on Prince Charles Gardens and Weld Road.

- Sefton Council will be destroying a piece of Birkdale history and residents are losing the heritage of Birkdale
- Development shouldn't be permitted when a bungalow in the grounds was previously refused
- Money grabbing application
- There have never been buildings in the garden
- Three houses will overlook properties on Prince Charles Gardens
- Three-storey houses not in keeping with two-storey houses on Prince Charles Gardens
- Apartment building will block late afternoon and evening light into neighbouring gardens and habitable rooms

- Proposed houses are too close to existing houses
- Vehicles from development would be a disturbance due to noise

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

The main issues to consider in respect of this application are the principle of development, the impact on the character of the area, the loss of a non-designated heritage asset, the living conditions to be provided to future occupiers and the impact on the living conditions of neighbouring properties.

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.

This policy also requires development to achieve a minimum density of 30 dwellings per hectare, except in the circumstances as laid out. The site is just under 0.2ha in size and provides for 9 dwellings, which ensures a density of more than 30 dwellings per hectare.

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.

The density of development is akin to that seen to Prince Charles Gardens and to other modern redevelopments along Weld Road. Prince Charles Gardens to the right hand side of the site is an example of large properties fronting Weld Road being demolished and replaced with a mix of properties fronting Weld Road and then being set behind frontage properties. This is also seen to Saxon Road to the rear of the application site. The proposal will therefore be consistent with the prevailing grain and layout of development in the immediate area.

The scale and appearance of the Villa, containing the six flats, is appropriate to the area. The incorporation of common features into the design such as projecting gables, canted bay windows to ground and first-floor, chimney stacks and sash windows with sandstone cills and heads ensures that the proposal will be a positive addition to the character of the area.

The three houses to the rear will be largely screened from Weld Road by the distance to the highway and the scale of the frontage Villa. The reduced scale and detailing to the houses compared to the Villa ensures that they are subservient to that frontage building, which is appropriate for backland development.

Reference has been made by objectors to a refusal of a bungalow to the rear of the site in 1989 but there have been material changes in circumstance such as three developments plans for Sefton in 1995, 2006 and 2017 being adopted since that date, which allows for a different view to be taken at this time.

In view of the above the proposal is considered to be acceptable.

Loss of Non-Designated Heritage Asset

Number 25 Weld Road is not included within the Historic Environment Record as a non-designated heritage asset, as shown on the publicly available 'Sefton Interactive Maps Online'. There are a number of properties and structures set out within this such as Numbers 13 and 13c, The Fisherman's Rest, The Park Hotel (all Weld Road).

Notwithstanding the above, objectors to the proposal bemoan the further loss of what they consider to be part of Southport's built heritage and as such it has to be considered that this building is a non-designated heritage asset.

Local Plan policy NH15 'Non-designated Heritage Assets' states that "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" and at a national level the NPPF states in paragraph 197 that "the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

The agent for the application was made aware of this matter and provided the following response:

"When considering Policy NH15, it is critical to also consider the explanatory text to the Policy. Paragraph 11.139 accepts the value of heritage which is not designated varies - and generally that which has a greater level of historic interest and value in the community will be afforded greater protection. The explanatory text goes on to highlight that a balanced judgement is required to establish the scale of harm or loss against the significance of the Heritage Asset.

Whilst there is no dispute that some level of historical value can be ascribed to the existing building on this site, it is not of such significant value to warrant its Listing and neither is it within a Conservation Area. In terms of its architectural merit, there are other such examples in the local area, and it cannot therefore be considered as unique.

In terms of the local context to the Site, existing housing dates from various era's and styles, with much dating to the 1960's and 1970's, some of which are three storey town houses and there are also some modern apartment blocks which extend to four storeys in height.

Whilst the existing building is of some architectural merit, its setting has already been significantly compromised by modern adjoining development. Importantly, the proposed development is high quality in nature, of architectural merit and would provide much needed housing in the area. The existing building is not capable of conversion for modern use and given its large size has not been of interest to purchasers. If left undeveloped, the site and property itself will fall into further decline and this would have a significant adverse impact to the amenity of residents.

On balance, whilst the existing building may be of some interest in heritage terms, it is not Listed, neither is it within a Conservation Area. Its loss would not be so significant so as to warrant the refusal of this application on heritage terms when taking account of the numerous other benefits associated with this development. Whilst Policy NE15 forms part of the planning balance, it is not considered determinative in this instance."

The above is noted but the demolition of the building will neither conserve nor enhance aspects of the asset that contribute to its significance. This is contrary to policy NH15 and will have to be considered as part of the planning balance, which will have due regard to the comments provided by the agent in determining the weight to be afforded to this matter.

Living Conditions of Future Occupiers and Neighbouring Properties

Future Occupiers

Good outlook is provided from all habitable room windows to the three houses and the rear gardens are private and the size of each exceeds the Council's minimum requirements.

Good outlook is provided from the first and second floor flats, with views unobstructed by any enclosures or neighbouring buildings. To the rear of the building the outlook to the ground-floor flats may be constrained due to distance to the enclosures of the outdoor amenity areas, but views will be had over the enclosures. This will be apparent to any future occupier. All the flats are of an acceptable size and have a main bedroom size that exceeds the Council's minimum standards.

The three ground-floor flats will have separate areas of open space to the rear which are usable and exceed the minimum required per flat. The private outdoor amenity space to the first and second floor flats is limited to individual terraces. The terraces to flats 4 and 5 to the first floor measure 16m² each and that to flat 6 on the second floor measures 19.4m². The terraces fall short of the minimum required within the Council's guidance, 20m² per flat, but this guidance does allow for a shortfall. A shortfall of 20% for the first-floor flats is considered to be acceptable on balance as they are private and useable and the 0.6m² to the second-floor flat is a minimal reduction. It is considered that the proposal is compliant with guidance.

Secure cycle storage is to be provided to the rear of the Villa, which aids the accessibility of the site.

On this matter the proposal is acceptable

-Neighbouring Properties

There were concerns that the proposal as submitted with a row of 4 houses to the rear would have a detrimental impact on the outlook from habitable room windows and would overshadow rear gardens to neighbouring houses on Prince Charles Gardens. So as to address this the applicant reduced the number of houses from 4 to three and increased the distance between the right hand house and the side boundary to Numbers 12 & 13 Prince Charles Gardens.

The reduction in numbers and increased separation has ensured that a policy compliant outlook is retained from habitable room windows to Numbers 12 & 13. To demonstrate that the proposal will not give rise to significant harm through overshadowing the applicant submitted sunpath drawings showing the impacts at specific hours throughout the year. As is evident, there will be some overshadowing arising from the amended scheme but this is limited in time and is largely towards the rearmost parts of the neighbouring gardens. This is considered to be acceptable.

It is not considered that the proposed Villa building will give rise to any greater impacts to Number 27 Weld Road or Numbers 7 & 8 Prince Charles Gardens than would be caused by the existing building. The villa is around 1m further from the boundary, which reduces impacts arising from overshadowing. There may be impacts from the introduction of a vehicle access to the right hand side but this can be managed through the use of acoustic boundary treatments.

The impacts of overlooking or any subsequent loss of privacy are likely to be less than that which could be caused by the existing building, particularly with the size and number of existing windows to the side elevation. The screening of terraces to the proposed Villa will lessen any direct overlooking to neighbours by directing views towards the proposed houses, rather than to neighbours.

For the above reasons the amended proposal is compliant with the Council's guidance and Local Plan policies.

Other Matters

Highway Safety and Amenity

As set out in the comments received by the Highways Manager the proposal does not cause harm to highway safety or amenity subject to a number of conditions.

Ecology

The Bat Roost Assessment considered that the building had a high potential to hold bats and as such emergence and re-entry surveys were required. The surveying has been undertaken and a report submitted, which has stated that no bats were recorded within the building and no roosts were identified. No mitigation is proposed as there is not to be a net loss of existing habitat. However it is an aim to increase biodiversity and as such it is considered reasonable for this scheme both within the Villa and the 3 houses to provide for bat bricks or other roosting features. This can be secured by a condition attached to any approval.

Flooding & Drainage

An amended surface water drainage scheme, to take into account of the amended proposal, will be required and this can be secured by condition.

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 appropriate within the area, whilst it has been demonstrated that the proposal would be capable of providing satisfactory living conditions for future occupiers, would not cause harm to the living conditions of neighbouring properties or cause harm to highway safety. No weight can be given to these elements as they are policy requirements and must be met as a minimum for any development.

The proposal will contribute 9 dwellings to Sefton's housing supply. The Council can currently demonstrate a five year housing land supply but the windfall of 9 units is beneficial. While meeting the social objective set out in paragraph 8 of the NPPF this matter can only be afforded limited weight given the limited number of dwellings.

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 dwellings and expenditure associated with additional households in the area may provide minor economic benefits given the scale of development to which limited weight is attached as it will accord with the economic objective set out in paragraph 8 of the NPPF.

Weighing against the proposal is the harm arising from the total loss of a non-designated heritage asset.

The weight to be given to the loss of a non-designated heritage asset in its entirety is difficult to determine. According to paragraph 197 of the NPPF "a balanced judgement will be required having regard to the scale of any harm or loss and the significant of the heritage asset" and this

approach is also reflected in the explanatory text to Local Plan policy NH15 'Non-designated Heritage Assets'.

The demolition of the building in its entirety cannot be said to have limited weight, given the asset and its accompanying significance will be lost. However, as it is not an asset of community value or a designated heritage asset, it is not considered that this matter can be afforded significant weight. Cross references to the balancing act or levels of harm applicable to designated heritage assets are not of merit here as the NPPF clearly differentiates in chapter 16 between designated and non-designated assets.

While objectors cite the loss of the building as being detrimental to the character of the area it has not been selected within the Historic Environment Record as a 'formal' non-designated heritage asset.

It is considered that the architectural merits of the building are limited and lessened further by additions and alterations made over the years. It is a private property to which there is limited public interaction, other than views of it from the road so it does not have the social contribution in terms of serving a community need or being a community facility. Its contribution to the streetscape is also limited given the better examples of this form elsewhere along Weld Road and surrounding highways.

In having regard to the above only moderate weight can therefore be attached to the loss of this non-designated heritage asset.

As weighed up, the benefits of the proposal outweigh the loss of the building.

Conclusion

For the reasoning set out above the proposal is acceptable and the application should be approved with the conditions that follow.

Recommendation - Approve with Conditions

Time Limit for Commencement

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

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

Approved Plans

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

Drawings

9-005_001 'Location Plan'
9-005_SK001 'Proposed Site Plan'
9-005_SK003 Rev B 'Proposed Houses Floor Plans & Partial Site Plan'
9-005_102 Rev B 'Proposed Villa Floor Plans & Partial Site Plan'
9-005_104 Rev B 'Proposed Elevations Villa'
9-005_105 Rev B 'Proposed Elevations - Houses'

Documents

Arboricultural Impact Assessment, ref 20/AIA/Sefton/18, dated March 2020
Bat Roost Assessment - Preliminary Building Inspections, ref 8690-WeldRdBRA-B1-SB, dated 04.05.2020
Bat Emergence Report, ref 25WeldRd-8868-Version1-SB, dated 27.08.2020
Comparative Sun Study (received 25th August 2020)
Highways Note, Prime Transport Planning, dated February 2020
Technical Note, Prime Transport Planning, dated 20th August 2020
Phase 1 Desk Study Report, ref A3494/20, dated April 2020

Reason: For the avoidance of doubt.

Before the Development is Commenced

- 3) a) Prior to the commencement of development, including the demolition of the existing building, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority.
- b) The provisions of the Construction Traffic Management Plan approved under (a) above shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

- 4) Prior to commencement of development, other than the demolition, the approved scope of works for the investigation and assessment must be undertaken by competent persons and a written report of the findings must be produced. The report should include an appraisal of remedial options and identification of the most appropriate remediation option(s) for each

relevant pollutant linkage. The report is subject to the written approval of the Local Planning Authority.

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

- 5) Prior to commencement of development, other than demolition, a detailed 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, must be prepared and is subject to the approval in writing of the Local Planning Authority.

a) 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 and commencement of its use.

b) In the event that the proposed remediation scheme involves the provision of a ground cover system a plan indicating the existing and proposed external ground levels on the application site shall be submitted for approval to the Local Planning Authority.

c) The development shall proceed in accordance with the external ground levels approved under (b) unless the Local Planning Authority gives its prior written approval to any variation.

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

- 6) a) The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation (e.g. demolition).

b) Following completion of the remedial works identified in the approved remediation strategy, a verification report that demonstrates compliance with the agreed remediation objectives and criteria must be produced, and is subject to the approval in writing of the Local Planning Authority, prior to commencement of use of the development.

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

- 7) Prior to development commencing other than the demolition of the existing building full details of a scheme for a surface water sustainable drainage system to serve the site, and method of implementation shall be submitted in accordance with submitted for consideration by the Local Planning Authority in consultation with Lead Local Flood Authority.

The details must include:

- Information about the lifetime of the development and design of the sustainable drainage system design, including storm periods and intensity (1 in 30 & 1 in 100 year + appropriate allowance for climate change), discharge rates and volumes (both pre and post development), methods employed to delay and control surface water discharged from the site, and appropriate measures taken to prevent flooding;
- Demonstrate that the surface water run-off would not exceed the pre-development greenfield runoff rate for an existing greenfield site or 5 l/s, whichever is greater;
- Demonstrate that the runoff volume from the development to any sewer or surface water body in the 1 in 100 year (plus climate change), 6 hour rainfall event, does not exceed the greenfield runoff volume for the same event or is as close as is practicable;
- Include details of a site investigation (which should be carried out prior to design) to support infiltration proposals
- Topography and finished floor levels. Include details of how any flood water, including depths, will be safely managed in exceedance routes;
- Secure means of access for maintenance and easements, where applicable
- Include a timetable for implementing the scheme.

Reason: To ensure a satisfactory drainage system is provided to serve the site in accordance with the Paragraph 103 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems and Policy EQ8 of the Local Plan.

During Building Works

- 10) No tree felling, scrub clearance, hedgerow removal or vegetation management is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows and vegetation are 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 must be submitted to and approved by the Local Planning Authority.

Reason: In the interests of ecology.

- 11) a) 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 is subject to the approval in writing of the Local Planning Authority.

b) 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 6.

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

Before the Development is Occupied

- 12) a) Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until a detailed scheme of highway improvement works for the alteration of the existing footway crossing to increase its current width together with a programme for the completion of the works 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 required highway improvement works have been constructed in accordance with the details approved under (a) above.

Reason: In the interests of highway safety.

- 13) No part of the development shall be brought into use until visibility splays of 2.4 metres by 25 metres at the proposed junction with Weld Road have been provided clear of obstruction to visibility at or above a height of 1m above the carriageway level of Weld Road . 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.

- 14) No part of the development shall be brought into use until visibility splays of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway have been provided clear of obstruction to visibility at or above a height of 1 metre above the footway level of Weld Road.

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.

- 14) The screening of the terrace/balcony shall be installed prior to the first occupation of the relevant flat and maintained as such thereafter.

Reason: In the interests of the living conditions of neighbouring properties.

- 15) No part of the development shall be brought into use until a means of vehicular and pedestrian access to the development has been constructed.

Reason: In the interests of highway safety.

- 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, surfaced and drained in accordance with the approved plan and these areas shall be retained thereafter for that specific use.

Reason: In the interests of highway safety.

- 17) No part of the development shall be brought into use until space and facilities for cycle parking have been provided and these facilities shall be retained thereafter for that specific use.

Reason: In the interests of highway safety.

- 18) The development shall not be occupied until details of electric vehicle charging points (to a level required by Supplementary Planning Document 'Sustainable Travel and Development') have been submitted to and approved in writing by the Local Planning Authority.

The development shall be occupied until the electric vehicle charging points have been installed and are operational in accordance with the approved details.

The approved infrastructure shall be permanently retained thereafter.

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

- 19) To improve biodiversity details of bat boxes and bird nesting boxes (e.g. number, type and location on an appropriately scaled plan) to be placed or erected within the site must be submitted to the Local Planning Authority for approval prior to the occupation of any of the units hereby approved.

The bat and bird boxes must then be installed prior to occupation of any dwelling and maintained as such thereafter.

Reason: In the interests of biodiversity

- 20) No residential unit hereby approved shall be occupied until details of full fibre broadband connections to all proposed dwellings within 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 any dwelling in accordance with the approved details.

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

- 21) No part of the development shall be occupied until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.

These details shall include: i) A statement setting out the design objectives and how these will be achieved; ii) earthworks showing existing and proposed finished levels or contours; iii) means of enclosure and retaining structures; iv) other vehicle and pedestrian access and circulation areas; v) hard surfacing materials; vi) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs), and vi) water features.

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant).

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

- 22) Prior to the occupation any dwelling hereby approved a plan indicating the height, extent and material for an acoustic boundary to the side boundary with Number 27 Weld Road and

Prince Charles Gardens along the access road must be submitted to an approved by the Local Planning Authority.

The boundary treatment shall be completed as approved before any of the units are occupied and maintained as such thereafter.

Reason: To mitigate noise impacts arising from movements of vehicles along the access road.

Ongoing Conditions

- 23) Within the first planting/seeding season following completion of the development, or to an agreed timetable, 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.

- 24) Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

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) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions 4, 5, 6 & 11 above have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until Condition 11 has been complied with in relation to that contamination. Contaminated land planning conditions must be implemented and completed in the order shown on the decision notice above.
- 4) If the proposed development is to incorporate piling in the foundation detail, the developer is advised to consult with Sefton Council Pollution Control (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.