

Report to: PLANNING COMMITTEE **Date of Meeting:** 19th October 2022

Subject: [DC/2022/01095](#)
[Park House, Park Road, Waterloo L22 3XG](#)

Proposal: Erection of 2 apartment buildings to provide 106 affordable independent living apartments with ancillary support services and communal facilities, together with associated landscaping, amenity space and car parking, following the demolition of the existing buildings.

Applicant: Dean Fisher **Agent:** N/A
Anwyl Partnerships

Ward: Church Ward **Type:** Major

Reason for Committee Determination: Chief Planning Officer Discretion

Summary

The application seeks full planning permission for the construction of 106 affordable independent living apartments, to be split between two separate blocks. The proposal would be 100% affordable housing for persons aged 55 and above and includes the demolition of the existing Park House Guest House on Park Road/Haigh Road within Waterloo District Centre.

The main issues to consider in respect of this proposal are the principle of development, loss of a non-designated heritage asset, the effect on the character and appearance of the area, living conditions, highway safety and loss of trees.

When applying the planning balance it is considered that the significant weight afforded to the provision of 106 affordable housing units for persons aged 55, and moderate weights attached to the economic benefits outweigh the moderate weight arising from the loss of the non-designated heritage asset. It is recommended that permission is granted subject to conditions and entering a legal agreement to secure the affordable housing and financial contribution to mitigate recreation pressure on the Sefton Coast.

Recommendation: Approve subject to Conditions and signing of a Section 106 legal agreement to secure affordable housing and a financial contribution to mitigate recreation pressure on the Sefton Coast.

Case Officer Rob Cooper

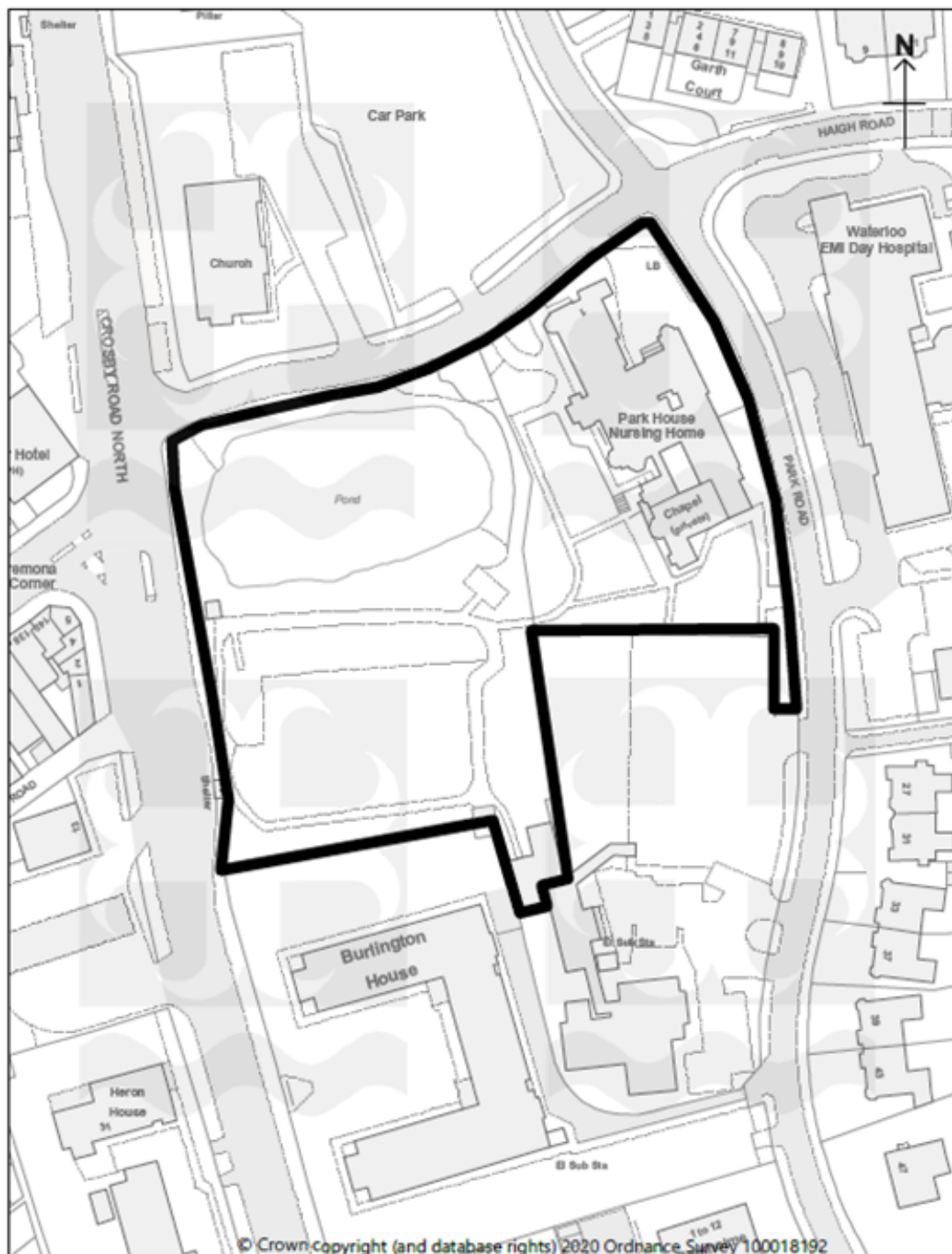
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RBTHOFNW08000>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 19/08/2020
Scale: Scale 1:1250
Created by: Initials

The Site

The application site lies within the designated Waterloo district centre, bordered to the north by Haigh Road, Park Road to the east and Crosby Road North to the west. To the south of the site, adjacent to the existing buildings is an open air car park. To the south of the open space, where block 2 is proposed, is the five-storey Burlington House building, with car parking lying between the building and the boundary to Park House.

The site consists of the Park House, which dates from the late 19th century. It was initially used as a single family dwelling but occupied by the Augustinian order for over a century. The original building is largely two-storey in appearance with bays and detailing that would be expected of a prominent building of that time. There has been a mix of extensions to the building over the years, from four-storey to two-storey that are prominent when viewed from Park Road and Haigh Road.

The strongest public views of the original building are from Haigh Road as approached from Crosby Road North, where the higher levels of the building and older façade can be viewed over the high-level boundary wall. Views of the building as a whole from Crosby Road North and from South Road to the west are limited due to the extent of mature trees within the site and adjacent to the boundary.

History

Extensive history relating to this site, the most recent and relevant of which include:

Ref: DC/2021/02184, Proposal: Outline planning application with all matters reserved except for access for extra care residential apartment building and independent living residential apartment building (C3) (up to 142 units), for occupants aged over 55 years and 100% affordable, including demolition of existing building. (Alternative to DC/2019/01043 refused 07.09.2020). Application was declined for determination on 28 September 2021.

DC/2019/01043 - Outline planning application with all matters reserved except for access for extra care residential apartment building and independent living residential apartment building (C3) (up to 142 units), for occupants aged over 55 years and 100% affordable, including demolition of existing building. Refused 02 September 2020. (Later dismissed at appeal 08 November 2021).

DC/2017/00674 - Change of use of ground and first floors from part Guest House (Use Class C1), part Convent (C2) to Nursing Home (C2) including alterations to external landscaping. Approved 24 July 2017.

DC/2013/00572 - Layout of an improved junction comprising: a revised and widened junction layout with right turn lanes, pedestrian crossing, cycle facilities and realignment to sections of the boundary walls to The Church of the Latter Day Saints and Park House Guest House. Approved 11 February 2014.

Consultations

Highways Manager

No objections subject to conditions

Local Plans

No objections

Conservation Officer

Objects to the total loss of the non-designated heritage asset. The original villa should be retained within the re-development.

Air Quality

No objection. The submitted Air Quality Assessment is acceptable. A condition is recommended for a scheme to control dust from construction/demolition activities. This can be included in the Construction Environmental Management Plan.

Noise

No objection, conditions recommended in relation to plant and machinery, sound insulation and piling.

Tree Officer

No objections, the level of tree removal, tree protection measures and compensatory planting are acceptable.

Building Control

No comments have been received on the planning application

Flooding and Drainage

No objection subject to drainage condition

Contaminated Land

No objection subject to conditions for further site characterisation following demolition, a remediation strategy, and validation.

Adult Social Care / Housing Manager

No objection

Merseyside Environmental Advisory Service

No objections subject to conditions

Natural England

A full assessment of the potential impacts of additional recreational pressure as a result of the development or confirmation of opting in to Sefton Council's Recreational Management Interim Approach.

Community Fire Officer

No objections but have requested informative to be added to any approval.

Merseyside Police Architectural Liaison Officer

No comments have been received.

United Utilities

No objection subject to drainage condition.

Neighbour Representations

Letters were sent to surrounding residents, and site notices displayed in a number of locations around the site as well as a press notice being published in the local paper. Additional letters were sent to residents following the receipt of amended plans.

In response to the above consultations 6 representations have been received from 5 individual local residents raising concerns in relation to:

- The appearance of the proposed buildings - Brutal appearance, looks like a car park, unattractive and box like appearance, looks like city centre block of student flats
- Heritage and Character of the area - Victorian building should be retained, loss of the old building would be to the detriment of the local community, character of the area, and loss of local heritage.

- Highways safety - Park Road is already dangerous as used as a rat run with speeding cars, insufficient parking proposed.
- Light spillage / pollution

Policy Context

The application site lies within an area designated as Waterloo District Centre 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 proposal are the principle of development, loss of a non-designated heritage asset, the effect on the character and appearance of the area, living conditions, highway safety and loss of trees.

Principle of Development

The designated use of the land as Waterloo District Centre and Local Plan policy ED2 'Retail, Leisure and Other Town Centre Uses' allows for residential development if it does not compromise the vitality and viability of the centre.

As this proposal does not seek to replace a 'main town centre use' (as defined within the National Planning Policy Framework) then this residential development cannot compromise the vitality or viability of the centre. Also 106 independent living apartments, along with any associated management and maintenance staff, are likely to increase customers and users for the district centre as a whole.

In terms of residential development, Local Plan policy HC3 'Residential Development and Primarily Residential Areas' allows for residential development outside of designated primarily residential areas save for four exceptions:

- the land is required for the purpose for which it is designated
- the development would conflict with the allocated or designated land use
- it would result in an unacceptable residential environment
- it would be inconsistent with other policies in the Local Plan

The application site has not been formally allocated for a specific purpose and as such it is considered the first exception is not applicable. The second exception has been covered by the assessment that the development would not compromise the viability or vitality of the district centre while the two remaining exceptions will have to be considered against the plans as submitted.

The remaining two exceptions will be addressed directly or indirectly in the assessment that follows.

Loss of a Non-Designated Heritage Asset

Park House is a substantial, two-storey villa, originally dating from the late 19th Century, with later extensions including a 20th Century chapel. It was originally built as a private residence and was later used as a school, a convalescent and rest home and latterly as a nursing home. The property has been vacant since around 2015.

The original villa retains some detailed high quality architectural features which reflect its original status, however these are generally confined to the west and southern elevation. The original appearance and architectural quality of the villa has been significantly harmed by later unsympathetic additions and alterations to the north and east elevations. Numerous windows have been replaced and a number of chimneys removed.

As concluded by the Planning Inspector who dismissed the 2021 appeal, ***“The architectural significance of Park House primarily stems from the original 19th century villa set within extensive walled grounds. The building also has some historical significance resulting from its previous uses both as a private villa and in connection with its use by the Sisters of Notre Dame and the Augustinian Sisters. However, previous unsympathetic alterations and additions to the building means that its architectural significance has been reduced somewhat resulting in its overall significance being low to moderate”***.

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”*. Furthermore, paragraph 203 of the National Planning Policy Framework states that *“The effect of an application on the significance of a non-designated heritage asset should be taken into account 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 Council’s Conservation Officer has objected to the proposal on the basis that its total loss would not comply with NH15, and he does not believe the benefits outweigh the total loss of the Non-designated Heritage Asset. Whilst the Officer does not have any objections to the demolition of later additions, he states that the original villa should be preserved and enhanced. The Officer acknowledges that if the building cannot be re-used and its loss is considered unavoidable then a condition should be added to secure a historic and photographic analysis and recording of the asset before it is demolished.

With regards to retaining the original villa, the applicant has previously appraised their development options for the site, and their architect carried out a review to consider if conversion

utilising the original building was achievable. This concluded that it wasn't practical or feasible, when trying to provide modern standards of accessibility, thermal efficiency and fire performance.

In July 2022, the building was subject to an arson attack. Due to concerns with the damage caused the applicant instructed a consulting engineer to carry out a structural inspection of the building. Amongst the significant fire damage, the report and associated photographs show how the fire caused the collapse of the roof, and partial collapse of the first floor.

The Conservation Officer acknowledges that the fire damage has compromised part of the significance and value of the villa, resulting in the partial loss of the heritage asset. However, reconstruction and re-use of the asset is still possible.

Consequently, whilst its value has been diminished, having regard to its potential to be reused, overall, its significance is still considered to be low to moderate. The proposal would fail to comply with policy NH15 as the total loss of the building would neither conserve nor enhance aspects of the asset that contribute to its significance. Consequently, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

Character and Appearance of the Area

The application site is bounded by the A565 (Crosby Road) to the west, Haigh Road to the north and Park Road to the east. The existing building is highly visible from the latter two roads and largely screened from Crosby Road by mature trees within the grounds. The boundary of the site is marked by a high-level red brick wall. The surrounding area is mixed in character and appearance comprising commercial, community and residential uses in buildings of varying heights, designs and materials.

The existing Park House building is positioned in the north east corner of the site, adjacent to Haigh Road and Park Road. The older part (the villa) is 2 storey in appearance, but is relatively tall by modern standards given its grand period construction and high ceilings, whereas the modern flat roofed extensions to the rear are a mix of 3 and 4 storey. The remainder of the site is largely undeveloped with a large pond in the northwest corner. The site contains a large number of trees which contribute to its appearance and the character of the wider area.

The proposed new apartments would be laid out in two separate blocks: block one in the north eastern part of the site is part 4 and part 5 storey, and block two in the south western part is 5 storey in height.

Though there are residential buildings near to the site, the immediate surrounding area is very mixed in character and appearance with Crosby Road having a busy, commercial character and Haigh Road and Park Road containing non-residential buildings. Given the height and appearance of the existing extensions adjacent to Park Road, the scale and design of the proposed new apartment blocks would not be out of character with either the existing building, or the surrounding area. This is especially so when considering the presence of a five-storey office

building at Burlington House to the south.

At four and five storey, understandably the density, scale and massing of the proposed apartments blocks do not reflect the appearance of residential properties in the wider area, especially further along Park Road and Haigh Avenue. However, it does reflect the character of its immediate surroundings which is more mixed in scale and appearance. Furthermore, their modern design and finish would be of a high quality that is considered to respond positively to the character, local distinctiveness and form of the site's surroundings. The proposal is considered to be consistent with Local Plan Policy EQ2.

Previous scheme

One of the reasons for refusal of the previous scheme (DC/2019/01043) was based on concerns that the development's density, scale and massing would harm the character and appearance of the area. That scheme was submitted as outline, but the applicant provided indicative details showing how the proposed 142 units could be achieved in 4 and 5 storey blocks. Whilst the appeal was dismissed at appeal, the Inspector did not uphold this specific reason for refusal, and in the decision letter stated:

“Although the application is for outline planning permission, the indicative layouts and artist's impressions show a development comprising two buildings, a largely 4 storey building positioned in the north east corner of the site near to Haigh Road and Park Road and a largely five storey building in the south west corner adjacent to Crosby Road”.

“I conclude that the appeal site could accommodate a building/buildings for the provision of up to 142 units without being out of keeping with the character and appearance of the area. Whilst the density, scale and massing of the proposal may be out of keeping with nearby existing residential development, the immediate surrounding area is mixed and is not dominated by residential development such that the proposal does not respect the local character and form of its surroundings. I therefore conclude that the proposal accords with Policy EQ2 of the SLP which seeks, amongst other things, to ensure that development responds positively to the character, local distinctiveness and form of its surroundings”.

The previous appeal decision is a material consideration that needs to be taken into account when determining this planning application. The current scheme has a lower density of units than the previous, and the scale, massing and height are similar. Consequently, a refusal on such grounds is unlikely to be sustained at appeal.

Living Conditions

Living Conditions of Future Occupiers

The submitted floor plans demonstrate that each of the room sizes and overall size of each apartment would meet the Council's minimum standards, with a good outlook being possible from

all habitable room windows. With regards to the interface distances between habitable room windows, block 1 has a U-shaped footprint so some apartments would have an outlook towards each other. However, this interface would meet the minimum distance of 21m between habitable room windows.

The Council's guidance requires 20m² of private outdoor amenity space to be provided for each flat so in this instance a minimum of 2,120m² would be required. The proposal provides for extensive outdoor communal amenity space for the residents, including the wooded parkland and the lake. This is in excess of 5,400 square metres, and even when taking away the area of the lake and incidental landscaped areas to the front and around the parking areas this would still exceed 3,200 square metres. In addition to this, the majority of the apartments would have Juliet balconies off the living rooms.

The applicants have noted that the roof of the two storey element of block 1 also has potential to provide for a garden roof terrace in the future. However, that does not form part of this current application, and is not required to meet the necessary levels of amenity space in the application as currently submitted.

The application site is located near to Crosby Road North. Given that this is a well trafficked main road, the applicant has submitted noise and air quality assessments. These demonstrate that subject to detailed mitigation residents would have good living conditions and would not be severely harmed through road traffic or other noise nor would the air quality give rise to significant or severe harm.

The Environmental Health Manager has been consulted and is satisfied with the conclusions of the noise and air quality assessments. He has recommended conditions in relation to control dust from construction/demolition activities, the details of any permanent plant and equipment, and a scheme of piling methodology.

He has noted that the applicant would be carrying out an Overheating Risk Assessment, which is likely to have some impact on final make-up of the building envelope. Consequently, the final detail for the acoustic mitigation measures necessary for each apartment can be conditioned.

Living Conditions of Neighbouring Properties

The nearest residential properties are to the northeast at Garth Court, at the junction of Park Road and Haigh Road. The front elevation of these buildings is more than 39m from the boundary with the application site, with block 1 a further 5m away from this nearest point. The overall separation between the proposal and this nearest neighbouring property is more than double the minimum recommended. Given the distances to the nearest existing properties, the proposed development would not result in an unacceptable level of overshadowing or overlooking to existing residents.

Highway Safety

The proposed vehicle access will be gained via two junctions onto Park Road. There are two existing vehicle accesses into the site at these locations, which will be altered to suitably accommodate the proposed development, providing sufficient visibility.

Furthermore, two separate pedestrian access points will be provided into the site, one from Haigh Road and one from Park Road as well as the pedestrian facilities adjacent to the vehicle accesses.

There are no segregated cycle accesses into the site, however, given the layout of the highway network surrounding the site, use by cyclists of the vehicle accesses into the site from Park Road is considered acceptable.

The proposed access arrangements to the site for all modes of transport is considered accessible and will provide safe pedestrian movements and allow 2-way vehicular traffic.

With regards to parking, 68 car parking spaces will be provided within the site, including 4 disabled bays, as well as 4 motorcycle spaces, one large accessible bay suitable for ambulance parking and space within the northern building to park 12 mobility scooters. There would also be 12 cycle parking spaces. The site is located within the Waterloo District Centre, in a highly accessible location close to shops and services and public transport. Therefore, the level and type of parking spaces proposed is considered acceptable.

In terms of potential changes to traffic levels compared to the existing use, the Highways Manager has reviewed the submitted transport assessment and considers that the additional traffic likely to be generated by this development equates to approximately one extra trip every 2 minutes for the PM peak hour and one every 4 minutes for the AM.

The impact on the A565/South Road/Haigh Road junction has also been assessed. The assessments show that in the worst-case scenario only adds an additional 2 vehicles to the junction in the peak period. This is considered negligible. Therefore, the expected increase in traffic levels as a result of the development is not significant and can be accommodated on the local highway network.

The Council's Highways Manager has no objections to the proposed development. Subject to a number of conditions and consideration of reserved matters at a later date, the proposal is unlikely to give rise to significant or severe harm to highway safety.

Loss of Existing Trees

The application site contains a large number of trees, the majority of which are located on the western, open part of the site and surrounding the existing pond. Most of the trees are protected by a Tree Preservation Order (TPO). An Arboricultural Impact Assessment, Method Statement and replacement planting plan have been provided.

The Tree Officer has had extensive discussions with the applicant and their consultant which has contributed the evolution of the scheme and changes to the site design and layout.

The previous scheme (DC/2019/01043) which was refused on the grounds of loss of trees (amongst other matters) proposed the removal of a significant number of healthy trees and inadequate replacement planting to compensate for their loss. That scheme proposed the loss of 58 trees, including 1 high value tree and 5 moderate value groups of trees.

In comparison, the Arboricultural Impact Assessment for this scheme identifies 21 individual trees and 3 tree groups (comprising approximately 0.07 ha) to be removed. Only 7 of these trees and 1 group require removal primarily to facilitate the proposal development. In fact, 14 trees and 2 groups have been recommended for removal irrespective of the proposed development, due to safety concerns associated with their poor health or condition.

To mitigate this impact the applicant has submitted a landscaping scheme which proposes the planting of 37 trees in total. The replacement planting ranges in size from 8-10cm girth to 14-16cm girth.

The Council's Tree Officer has confirmed that the tree loss identified above is acceptable due to the condition and location of the trees identified for removal. Furthermore, the officer is satisfied with the proposed replacement planting and the method statement for the protection of those trees to be retained.

Consequently, the proposed development would not result in the unacceptable loss of, or damage to, existing trees or woodlands or significant landscaping during or as a result of development, and suitable replacement planting and landscaping are proposed in accordance with Policy EQ9 of the Sefton Local Plan.

Housing Need and Mix

The proposal will be 100% affordable housing, and specifically affordable or social rent, for older people (55 years and older). It is considered this provision will meet an identified need in Sefton and this area. The Housing Manager within the Adult Social Care Team has been consulted and has said:

'The need for approximately 218 units of extra care accommodation within this area is set out in our extra care prospectus which is based upon the strategic housing market assessment completed in 2019.

Sefton faces a challenge of anticipating and helping to shape the housing options available for our residents. Extra care housing is recognised nationally as a welcome choice for older people since it offers suitable accommodation, with flexible care and support available when needed, and a sense of community to reduce the risk of social isolation.

106 affordable independent living apartments with ancillary support services and communal facilities, together with associated landscaping, amenity space will help to enable us to meet the needs of our residents'

The following practical points with regards to the internal workings and layout of the buildings were also provided:

'However there does seem to be a lack of ancillary for staff in terms of breakout room, washing/toilet facilities and a private meeting room. In terms of accommodation I would also look to see some of the units moved to ensure that they do not border staff office, buggy store and refuse to mitigate against future issues of noise for residents.

Engagement with the developer and appointed housing provider will be key to ensuring that an appropriate nominations policy is agreed enabling us to also put appropriate care and support services at the heart of the development'.

With regards to the latter points the applicant is discussing these direct with the Housing Manager in the Adult Social Care team to ensure their concerns are alleviated. If considered necessary in the future this may result in some internal changes, although these are likely to be minor in the context of the overall scheme. Furthermore, the Environmental Health Officer has not raised any concerns in this regard and a condition is recommended for the final detail of the acoustic mitigation measures.

With regards to housing mix, as the scheme is for 100% affordable apartments, the Council's housing mix contained in policy HC2 is not applicable.

Ecology and Habitats

The applicant has submitted ecology survey reports in accordance with Local Plan policy NH2. Merseyside Environmental Advisory Service (MEAS) have been consulted and they confirm that these surveys are accepted with minor limitations. The bat surveys confirmed the presence of two common pipistrelle day roosts within the main building. No evidence of hibernating bats were recorded within the building and no evidence of bat roosts was recorded amongst the affected trees. The applicant's ecological consultant has stated they intend to progress as a Registered Consultant under the Bat Mitigation CL21 'low impact' Licence route.

No evidence of red squirrel was observed during the tree inspections carried out by the applicant's consultants, and they do not need to be considered further in relation to these proposals. The three tests set out in the Habitats Regulations have been met, which demonstrates that the Council has engaged with the Habitats Directive.

The applicant has confirmed that they would 'opt in' to the Council's approach to deal with recreational pressure on the coast. This includes £314 per dwelling (£33,284) and the provision of

an information pack.

MEAS have no objections subject to conditions in relation to the necessary mitigation proposed, a construction environmental management plan, bird nesting, RAMs for hedgehog and amphibians, securing the above financial contribution and information pack. The proposal is therefore considered to comply with policy NH2 of the Sefton Local Plan.

Other matters

Concerns have been raised in relation to the lighting of the building, and the potential for light spillage and light pollution in the area. The site is located within a built-up area and district centre, an area where a good degree of lighting from street lamps and buildings can be expected. It is acknowledged that the current vacant building / site contributes little to this. However, the future external lighting of the site can be controlled by planning condition to ensure there would be no harmful light spillage.

With regards to flood risk and drainage, the applicant has submitted a flood risk assessment and a drainage strategy. The discharge rate would be restricted to of 15 l/s, both United Utilities and the Lead Local Flood Authority have been consulted and have no objection. United Utilities have noted that neither the ground conditions' report, or a proposed drainage layout plan showing finished floor levels or exceedance flood route plan have been included, consequently have requested a planning condition.

Planning Balance

The proposed apartments are considered to be appropriate in principle as they would be located within the Waterloo District Centre. The scale and design of the new apartments would not harm the character and appearance of the area. The proposal would provide acceptable living conditions for future occupiers and would not cause harm to the living conditions of any neighbouring occupiers. It would not cause harm to highway safety, and the site is in an accessible location. Furthermore, the Tree Officer has confirmed that the proposed loss of trees would not be unacceptable, and that they can be adequately compensated for. These matters meet the relevant policy requirements and are considered to be neutral.

The Council can currently demonstrate a five year housing land supply, and the Strategic Housing Market Needs Assessment (2019) identified an annual need for 77 affordable units per year in the Crosby area (including Waterloo) and, with a projected 33% increase in the population aged 65+ over 2017-2026. In this context, the provision of 106 units of affordable housing for the over 55s on a previously developed site in an accessible location is a significant benefit of the proposal to which should be attached significant weight.

The proposal would also result in economic benefits both during the construction phase and once the units are occupied, through job creation and increased spend in the local economy. Given the scale of development proposed, moderate weight is attached to the economic benefits associated

with the proposal.

Although the proposal would result in the complete loss of significance of the non-designated heritage asset on site, its significance has been eroded over time by a number of unsympathetic additions and alterations and, in more recent months, damaged through multiple fires. Consequently, the existing building has low to moderate significance. The building's local historic significance is fully appreciated and it would be preferable for the original villa to be retained as part of the redevelopment of the site. However, given it is not a designated heritage asset and its relatively low significance, only moderate weight can be attached to the loss of this non-designated heritage asset.

Section 38(6) of the Planning and Compulsory Purchase 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the moderate harm resulting from the loss of the non-designated heritage asset is outweighed by the significant benefits associated with the provision of 106 independent living apartments, 100% affordable, for persons aged 55 years and above and the moderate weight attached to the economic benefits.

Consequently, whilst the loss of the non-designated heritage asset would be contrary to Local Plan policy NH15, the material considerations outlined above justify the approval of the proposed development.

Conclusion

Recommendation – Approve subject to Conditions and the signing of a Section 106 legal agreement to secure affordable housing and a financial contribution to mitigate recreation pressure on the Sefton Coast.

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).

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

Plans

7000 P1.1 Site Location Plan (received 31/05/22)

7001 P1.1 Existing Site Plan (received 31/05/22)

0002 P01 Soft Landscaping Plan (received 30/08/22)
7100 P1.2 Block 1 Floor Plans (received 12/09/22)
7101 P1.3 Block 1 Floor Plans (received 12/09/22)
7111 P1.1 Block 1 Elevations (received 12/09/22)
7110 P1.3 Block 1 Elevations (received 12/09/22)
7200 P1.2 Block 2 Floor Plans (received 12/09/22)
7210 P1.3 Block 2 Elevations (received 12/09/22)
7002 P1.7 Site Layout Plan (received 14/09/22)

Documents

Air Quality Assessment (Ref. 002 V1.3, Wardell Armstrong, May 2022)
Curtins (25th May 2022) Phase 1 Preliminary Risk Assessment. Ref: 069871-CUR-00-XX-RP-GE-001 Rev V04
Curtins (17th June 2022) Phase 2 Site Investigation. Ref: 069871-CUR-00-XX-RP-GE-002 Rev V03
Flood Risk Assessment, Doc. Ref: 079124-CUR-XX-XX-RPC-00001 Revision: V03 Issue Date: 22 April 2022
Noise Assessment Report by Wardell Armstrong Ref GM12109/001 v1 Final issued in May 2022
Arboricultural Impact Assessment (Ref. 9258.001 Version 4.0, TEP, August 2022)
Arboricultural Method Statement (Ref. 9258.002 Version 1.0, TEP, August 2022).
Invasive Species Method Statement (UES Ltd, 19 May 2022, UES02408/14)

Reason: For the avoidance of doubt.

Before the Development is Commenced

- 3) a) No development shall commence above finished floor level (excluding demolition and site clearance works) until a detailed scheme of highway improvement works has been submitted to and approved in writing by the local planning authority. The scheme shall include the provision of:
- Dropped kerbs and tactile paving pedestrian crossings on either side of each of the junctions with Park Road.
 - Reconstruct the redundant vehicle accesses as pedestrian footway on the south side of on Haigh Road, fronting the development site
- 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 above.

Reason: In the interests of highway safety.

4) a) Prior to the commencement of development, full details of the proposed measures to ensure that mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance shall be submitted to an agreed in writing with the Local Planning Authority.

b) The details approved under (a) above shall be implemented throughout the period of construction unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

5) a) Prior to the commencement of development 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 demolition and construction and shall not be varied unless otherwise agreed in writing with 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.

6) No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include but not be limited to the following:

- Details of the minimisation of waste production
- Implementation of measures to achieve efficient use of resources
- Details of the minimisation of off-site disposal
- A site waste management plan
- A written demolition/construction dust control scheme
- Reasonable Avoidance Measures (RAMs) for amphibians and hedgehog
- Evidence that the site has been registered under the Bat Mitigation CL21 licence

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users during both the demolition and construction phase of the development.

7) Prior to commencement of development (excluding demolition and site clearance works) the approved scope of works for the investigation and assessment of contamination 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.

- 8) Prior to commencement of development (excluding demolition and site clearance works) 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).

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.

- 9) No development shall commence (not including demolition), until details of the facing materials to be used in the external construction of this development have been submitted to and approved in writing by the Local Planning Authority prior to development. The approved materials shall then be used in the construction of the development.

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

- 10) No development shall commence other than as may be required in relation to site clearance and remediation until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved details.

Reason: These details are required prior to commencement to ensure an acceptable visual appearance to the development and/or to ensure that the privacy of neighbouring occupiers/land users is retained at all times.

- 11) a) There shall be no construction above finished floor level until a scheme of sound insulation/acoustic mitigation has been submitted to and approved in writing by the Local Planning Authority.
- b) The soundproofing shall be carried out in accordance with the scheme approved under (a) before the apartments are brought into use.

Reason: To prevent unreasonable noise and disturbance to neighbouring occupants in the interests of residential amenity.

- 12) No development shall commence until a historic building recording survey has been carried out and the report has been submitted to the Local Planning Authority. As a minimum this shall include:

- description of the building's setting and its significance locally
- location and grid reference of the building
- a written report of the building's history and past uses
- details of any important internal and exterior features
- a written account of the condition and known history of the building
- copies of any existing historic maps, plans or specialist reports for the property
- photographs of the interior and exterior of the building

The historic building recording survey shall be carried out in accordance with guidance contained in Understanding Historic Buildings: A Guide to Good Recording Practice (Historic England, May 2016).

Reason: The details are required prior to development, demolition or site clearance commencing to ensure that recording takes place at an appropriate period during the development process.

- 13) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365.

(ii) A restricted rate of discharge of surface water agreed with the local planning authority

(If it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD.

(iv) Mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 14) a) Should any part of the development incorporate piling works, a method statement must be submitted to and approved in writing prior to the commencement of any piling. The method statement must provide a justification for the method chosen and details of noise and vibration-suppression methods proposed.

b) Piling works shall then be carried out in accordance with the details approved under (a) above.

Reason: To ensure that the amenities of nearby residents are not unduly harmed by noise and dust from piling works.

- 15) a) Notwithstanding the details provided, prior to the commencement of development (excluding demolition and site clearance works) a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. This plan shall include the retention of the existing boundary walls where practicable, and the retention or relocation of any existing gate piers.

b) The boundary treatment shall be completed as approved before any of the units are occupied or in accordance with an agreed timetable.

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

During Construction

- 16) The development shall be carried out strictly in accordance with the approved Arboricultural Impact Assessment (Ref. 9258.001 Version 4.0, TEP, August 2022) and the Arboricultural Method Statement (Ref. 9258.002 Version 1.0, TEP, August 2022).

Reason: To prevent damage to trees.

- 17) 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.
- 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.

- 18) 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 9.

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.

- 19) No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works 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 buildings, 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 will need to be submitted to and approved by the local planning authority prior to the works.

Reason: To protect birds during their breeding season.

- 20) The development shall be carried out in accordance with the recommendations for mitigation and compensation set out in section 4.3.1 of the bat survey report (UES Ltd, 26 August 2022, UES02408/10-15).

Reason: In the interests of biodiversity and species protection.

- 21) a) The development shall be carried out in accordance with the approved Invasive Species Method Statement (UES Ltd, 19 May 2022, UES02408/14).

b) Prior to the occupation of the apartments, a validation report shall be submitted confirming the remediation approved in a) above has been fully implemented.

Reason: In the interests of biodiversity and to prevent invasive species.

Before the Development is Occupied

- 22) Before any part of the development hereby permitted is occupied/brought into use written details of all arrangements for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The storage arrangements shall be completed in accordance with the approved details and shall be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse/recycled materials.

- 23) The use hereby permitted shall not commence until a written scheme of noise control for any plant and equipment to be installed on site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

Reason: To safeguard the living conditions of future and neighbouring occupiers and land users and to ensure an acceptable visual appearance.

- 24) The 2.4m by 25m visibility splays shown within the Transport Assessment shall be implemented prior to the occupation of the apartments and be maintained free of any obstruction in perpetuity.

Reason: To ensure adequate visibility for those entering and exiting the site and to safeguard other highway users at all times.

- 25) No part of the development shall be brought into use until the vehicular and pedestrian access to the site, areas for vehicle parking, turning and manoeuvring have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and details. These shall be retained thereafter for that specific use.

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

- 26) The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the local planning authority and they shall be retained in perpetuity thereafter.

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

- 27) a) Within 6 months of the development being first occupied or brought into use a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority.

b) The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason: In order to meet sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

- 28) Prior to the occupation of the apartments hereby approved, details of bird nesting boxes (including number, type and location on an appropriately scaled plan) shall be submitted to and approved in writing by the Local Planning Authority. The approved plan must then be implemented prior to occupation and maintained as such thereafter.

Reason: In the interests of biodiversity and to mitigate for the loss of bird breeding habitat.

- 29) 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.

- 30) No part of the development shall be occupied until full details of both hard and soft landscape works, in accordance with Soft Landscape Plan (0002 received 30 August) 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, walls, fences 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
- VII. Water features
- VIII. 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).
- IX. A management and maintenance plan
- X. Interpretation/information boards on site detailing the history of Park House

Reason: To ensure an acceptable visual appearance and suitable compensatory planting to the development.

- 31) Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. The development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity.

- 32) Prior to the occupation of any dwelling full details of an information pack to be provided informing residents of the presence and importance of the designated nature sites, and how residents can help protect them shall be submitted to and approved in writing by the Local Planning Authority. The agreed information must be provided on first occupation of each dwelling.

Reason: To mitigate recreational pressure on the designated coast.

Ongoing Conditions

- 33) Within the first planting/seeding season following completion of either block, 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.

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

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

35) The 106 apartments hereby permitted shall only be occupied by:

- persons aged 55 or above;
- persons living as part of a single household with such a person or persons;
- persons who were living as part of a single household with such a person or persons who have since died.

Reason: In order to secure housing for the over 55s.

Informatives

Highways

- 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) The developer should be advised that an agreement under section 278 Highways Act 1980 will be required to ensure the off-site highway works are completed, and to contact the Highways Development & Design Team at hdd.enquiries@sefton.gov.uk.

Ecology

- 4) Japanese knotweed, Cotoneaster and Rhododendron are present within the site boundary. All are listed on Schedule 9 of the Wildlife and Countryside Act

Piling

- 5) Piling – There are a variety of piling methods available, some of which cause considerably greater noise and vibration than others. It is common for the prevailing ground conditions to influence the chosen method of piling. Where the prevailing ground conditions would permit more than one piling method, the Council would expect the contractor to choose the method which causes the least amount of noise and vibration, in accordance with the following hierarchy
 - Pressed-in methods, e.g. Hydraulic jacking
 - Auger / bored piling
 - Diaphragm Walling
 - Vibratory piling or vibro-replacement
 - Driven piling or dynamic consolidation
 - Should the contractor propose to use a method which is not the preferred lower impact option, then satisfactory justification will need to be provided in order to demonstrate the piling method that is utilised meets Best Practicable Means (BPM). Please note

vibration monitoring will be required for all piling projects. For further advice on what to include in your piling methodology scheme and current standards please contact Sefton's Pollution Control Team.

Fire Authority

- 6) The Fire Authority requests that any decision notice includes the following information;

The plans relating to the above application have been examined and below are the Fire Authority's observations:

Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations.

Water supplies for fire-fighting purposes should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied. (Select relevant paragraph)

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

The premises should comply with Section 55 of the County of Merseyside Act 1980