

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

Subject: [DC/2022/01269](#)
[102 The Serpentine North Blundellsands Liverpool L23 6TJ](#)

Proposal: Erection of a two storey extension to the south and east elevations, part conversion of the existing garage to a habitable room and erection of a first floor extension to the north elevation of the dwellinghouse, plus roof terrace to the front

Applicant: Mr & Mrs Paul & Holly **Agent:** Diaz Associates
Finnegan

Ward: Blundellsands Ward **Type:** Householder application

Reason for Committee Determination: Petition endorsed by Councillor Roscoe

Summary

The proposal involves various extensions to the dwelling, including a part single/part two storey extension to the south and east elevations and a first-floor extension on the northern side of the building, plus the partial conversion of the existing garage. The property is located within the Blundellsands Park Conservation Area. It sits to the east of the St Nicholas Grade II listed drinking fountain and the adjacent property to the North, 108 Blundellsands Hall, which has been identified as a Non-Designated Heritage Asset (NDHA). Therefore, the main issues to consider are design and impacts on the heritage and ecology, alongside matters relating to living conditions of the existing neighbours.

The existing post-war property makes a neutral contribution to the character and appearance of the Conservation Area. The extensions comprise a significant increase to the existing dwelling. However, the revised scheme has resulted in a design which is more sympathetic to the original dwelling. The overall scale of the proposals are not disproportionate within the plot or out of keeping with the character of the surrounding dwellings.

The proposal would not cause harm to the surrounding tree coverage, nor does it raise any concerns in relation to ecology within the site or the surrounding area.

The proposal would preserve the character and appearance of the Conservation Area in line with local and national policy requirements. It would not cause harm to the adjacent NDHA or the listed drinking fountain. No harm would arise to heritage assets and as the design is acceptable, and there is no significant harm to living conditions of the surrounding residents. The proposal therefore complies with the development plan and is recommended for approval.

Recommendation: Approve with Conditions

Case Officer Louise Everard

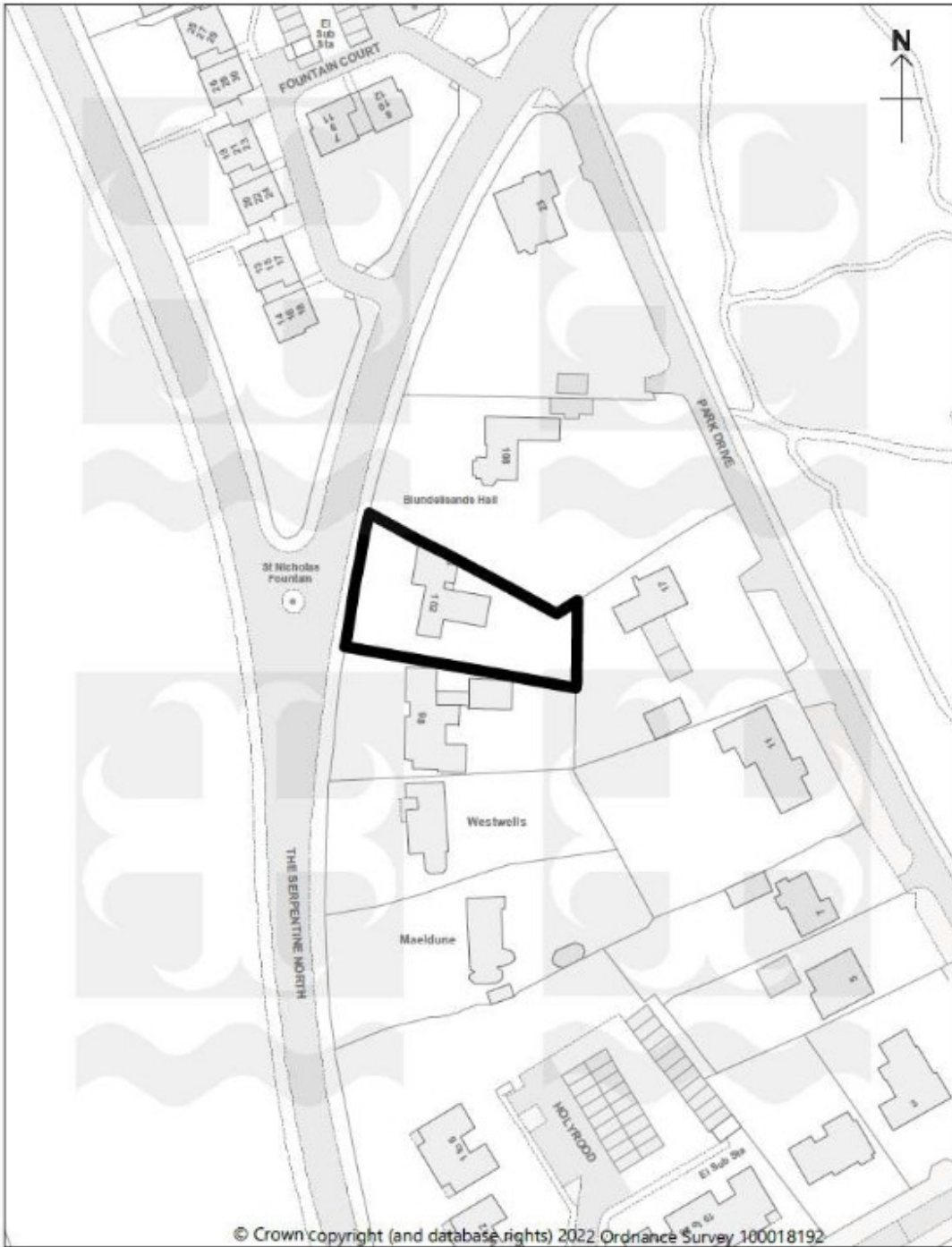
Email planning.department@sefton.gov.uk

Telephone 0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RDZGHNNW08000>

Site Location Plan



Sefton Council



Reference: Map reference
Date: 23/05/2022
Scale: Scale: 1:1250
Created by: Initials

The Site

The application site comprises a detached 1960s two-storey dwelling, located at 102 the Serpentine North within Blundellsands Park Conservation Area.

History

Ref: DC/2021/01739, Proposal: Erection of a two storey extension to one side, a part two storey/part single storey extension to the opposite side, a two storey extension to the rear, single storey extensions to the front and rear of the dwellinghouse, a roof terrace and partial conversion of the existing garages. Decision: refused on 1st June 2022.

Consultations

Merseyside Environmental Advisory Service

The application is for the erection of extensions surrounding an existing dwelling, a roof terrace and partial conversion of the existing garages. The application is similar to previous application DC/2021/01739 which was previously refused. To address the issues of refusal the applicant has made some changes to the original plans. In terms of ecology the relevant amendments include:

- A reduction of the proposed footprint from 422 sq m to 328 sq m; and
- The proposed extensions do not impinge on any root protection zones of the trees in the neighbouring gardens so impact on trees is no longer an issue.

Habitats Regulations

The proposed development site is approximately 150 metres from the following protected sites and Local Plan policy NH4 applies:

- Sefton Coast SAC;
- Ribble and Alt Estuaries Ramsar;
- Ribble and Alt Estuaries SPA;
- Sefton Coast SSSI; and
- Key Park Local Wildlife Site.

Using the source-pathway-receptor model it is concluded that the proposals do not require assessment under the Habitats Regulations for the following reasons:

- The development is contained within the curtilage of an existing dwelling. There will be no land take;

- The site is separated from the European sites by a road and expanse of amenity grassland that is subject to high levels of recreational disturbance;
- Qualifying features using the European sites are exposed to high levels of disturbance closer to them than the development site. Any noise or human activity within the development site is highly unlikely to disturb them over the 150 metre distance as it is unlikely to significantly increase existing levels of disturbance. In addition, the development site is well screened by fences and tall vegetation; and
- It is highly unlikely the proposals would generate pollution that would reach the European sites (dust, run-off).

Protected Species

Bats

The dusk emergence surveys were carried out on 2nd and 16th September. The report acknowledges that this is outside the optimal season for bat surveys. However, the weather was mild and suitable for bat surveys and low numbers (2) of commuting Common pipistrelle were recorded meaning bats were active at this time. No evidence of roosting bats was recorded during the survey.

The June 2022 report refers to the removal of trees, shrubs and hedgerows and acknowledges that these features do provide some commuting and foraging habitat for bats. However, due to the abundance of alternative commuting and foraging habitat in the immediate surrounding area the report concludes that the removal of these features is highly unlikely to harm the local bat population. This is accepted.

Habitats on/adjacent to the site may provide roosting, foraging, commuting habitat for bats. Lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats areas, in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition. It would be helpful for the applicant to refer to *Bat Conservation Trust website* <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Sand Lizards and Natterjack Toads

The submitted reports state that no evidence of Natterjack toad and Sand Lizard use or presence was found. The nearest confirmed records of these species are beyond 1 km of the site and habitats within the site are sub-optimum for these species. No significant impacts on reptiles and amphibians are predicted, however as a precaution, and to avoid harm to other common amphibians or reptile species that could cross the site, I advise that the following Reasonable Avoidance Measures should be secured by a suitably worded condition:

- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians / reptiles from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians / reptiles from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians / reptiles.

Red Squirrel

The application site is within the Sefton Coast Red Squirrel Refuge and Buffer Zone which has been adopted by the Council. It is advised that any landscaping is with small seed-bearing species which encourage red squirrels and discourage grey squirrels, in accordance with Local Plan policy NH2. Details of tree planting can be provided within a landscaping / planting plan for the site which can be secured by a suitably worded planning condition.

Breeding Birds

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and Local Plan policy NC2 applies. Therefore, a condition relating to vegetation clearance would be required.

Archaeology

The focus of the Heritage Assessment (Landor Planning July 2021) is the history and impact to the Blundellsands Park Conservation Area.

There are no heritage assets recorded on the Merseyside Historic Environment Record within the proposed development.

The proposed development site is considered to have negligible archaeological potential. It is advised that archaeology does not need to be considered further for this application.

Highways Manager

No objections

Conservation Officer

Raise no objections regarding the proposed works. However, suggest the following conditions,

- Rooflights should be conservation style installed flush to the roof.
- Samples of proposed materials should be approved before works commence.

The property at 102 The Serpentine North lies within Blundellsands Park Conservation Area, adjacent to what is now considered a Non-designated Heritage Asset, Blundellsands Hall (108 The Serpentine North) and near a grade II Listed Building, St. Nicholas Fountain. The existing post-war property makes a neutral contribution to the character and appearance of the Conservation Area. It is a modern construction which does not possess any architectural merit. The proposed erection of a two storey extension to the South and East elevation, conversion of the existing garage to a habitable room and erection of a part two part first floor extension to the North elevation of the dwelling house, plus roof terrace to the front, will not cause any harm to the heritage assets.

The Conservation officer has no objections regarding the proposed new extensions and the conversion of the existing garage to a habitable space. The proposed design is considered high-quality and an improvement of what is currently on site. The proposal will not cause a harmful alteration to the street scene with the character and rhythm of the application site largely preserved. The scale and mass of the proposal seems acceptable, it respects the original dwelling's design. Although the footprint of the construction will be increased, it will have no significant impact on the overall plot size of the development. The Conservation Area is characterized by large plots which enhances the significance of the area. The existing plot does not therefore contribute positively to the character of the Conservation Area, as it does not have any historic significance as it was previously subdivided by contrast with those larger plots that remain which do contribute positively to the Conservation Area.

The pitch roof is acceptable and encouraged, the flat roof extensions are considered acceptable. A small number of buildings built, particularly around the 1960s and 70s have flat roofs inside the Conservation Area. The trend in more recent decades has been again towards pitched roofs which is more in keeping with the character of the Conservation Area. The proposed changes are such that they would have the potential to enhance the existing property which is of neutral interest. The roofs of buildings within Blundellsands are a particularly important feature to its special character as they are often the most prominent part of a building as the rest can be hidden by trees. Roofing material inside the Conservation Area usually consist of traditional slates or tile. Grey zinc roofing is not keeping in character with the Conservation Area. However, it is acknowledged that because of the low roof pitch it is not practical to use tiles or slate, so some form of sheet material would appear to be the best solution. It is suggested to use a tile effect roofing sheet which will be a more sympathetic choice. Render is featured on some older and newer developments within the Conservation Area, this would be considered acceptable.

The black aluminium windows are considered acceptable. Sandstone is a building material used inside the Conservation Area, a stone cladding would be considered acceptable, it is recommended to use a buff colour stone.

The proposal does make a number of substantial changes to the existing property, the unique design would as a minimum preserve the character and appearance of Blundellsands Park Conservation Area as required by policies NH9 'Heritage Assets' and NH12 'Conservation Areas'. The changes are such that they would have the potential to enhance the existing property which is currently of neutral interest. The proposal would preserve the character and appearance of the Conservation Area in line with local and national policy requirements. No harm arises to heritage assets given the design is acceptable and considered high-quality which responds positively to the local area in terms of its scale, height, form and massing. It also has no adverse impact on the layout and historic pattern of development in the Conservation Area.

Due to a recently submitted Heritage Statement the neighbouring property of Blundellsands Hall (108 The Serpentine North) is now considered a Non-designated Heritage Asset. The proposal for 102 The Serpentine North will provide a clear contrast in style with the adjacent historic property. However, the extension will not detract attention from Blundellsands Hall. The building and the extension are not considered harmful and will not have a negative impact on the settings of the Non-designated Heritage Asset which makes a positive contribution to the character of the Conservation Area. The proposed development at 102 The Serpentine North would have no impact on the materiality of 108 Blundellsands Hall, nor would the proposed development impact upon the setting of the building which would retain its large and spacious plot. The development would not cause any harm to the significance or the settings of 108 Blundellsands Hall. The proposal complies with local policy NH15 'Non-designated Heritage Assets'.

In terms of the St Nicholas fountain, a grade II Listed Building, the proposal will not cause harm to the significance of the fountain or affect its character as a building of special architectural or historic interest. The fountain is situated in the middle of a busy 3-way road junction sitting approximately 12 metres in front of the application site. There is a significant distance between the fountain and the proposed building. The proposal would not harm the setting of the listed drinking fountain, it will not be affected by the proposed alterations. The proposal adheres with local policy NH11 'Works Affecting Listed Buildings'.

The proposal adheres with relevant NPPF, NPPG and local policies NH9 'Heritage Assets', NH11 'Works affecting Listed buildings', NH12 'Conservation Areas' and NH15 'Non-designated Heritage Assets'.

Tree Officer

The scheme requires the direct loss of trees T10, G11 & T12. It also identifies that trees T7, T27 & T30 should be removed due to their condition. The loss of T7, T27 & T30 is not required for the implementation of the development and as such can not be considered as part of this application.

T10, G11 & T12 are low to moderate quality trees and it is the view of the Council's Tree Officer that their loss would not have a significant impact upon the visual amenity of the surrounding area and could be successfully mitigated by replacement tree planting located to the front of the site. With this in mind I would have no objections to the proposed development.

To ensure the scheme is implemented without having a detrimental impact upon those trees identified for retention a tree protection plan has been submitted which in principle is acceptable, however the Tree Officer is not confident that it would be possible to construct the dwelling with the fencing as proposed in the vicinity of T8 & T9.

Should the application be recommended for approval it is advised that a pre-commencement tree condition is attached which requires the submission and approval of an arboricultural method statement. This method statement should include any amendments required to the tree protection and also confirm the proposed trees to be removed (e.g T10, G11 & T12). The Tree Officer also advises the use of a landscaping condition which should include replacement tree planting for the trees to be lost.

Neighbour Representations

A petition of 33 signatures endorsed by Councillor Roscoe has been received by Planning Services opposing the development on the grounds of inappropriate scale of development, impact on trees, design/materials, impact on conservation area and issues unresolved from previous application.

6 objections have been received from 4 individual addresses on the following grounds

Design and Character

- It would harm the character and appearance of the Blundellsands Conservation Area
- The impact on the loss of trees and wildlife will be huge in this conservation area
- The proposed extension are excessively large and disproportionate additions
- Doors and windows do not match
- The glazed balconies are not in keeping with the character or appearance of the conservation area.
- Materials would not preserve or enhance the character of the conservation area.
- The removal of the chimney would not preserve or enhance the character of the conservation area.
- The proposal is not set back from the main wall
- The proposal does not take into account the spacing between the properties
- The massing to the north does not make a positive contribution to the conservation area and blocks views of the historic bay of Blundellsands Hall from the road and into and out of the conservation area.

Residential Amenity

- The Juliet balconies to the rear elevation means the occupants could look directly into all three neighbouring gardens.
- There is a habitable room of a conservatory in the house to the south and the required clearance is, I believe, not achieved in the present proposal.

Trees and Ecology

- Location of the trees on adjoining sites are incorrect and do not match the tree survey
- Inadequate plans have been provided showing the surrounding trees
- The development would cause harm to the neighbouring trees
- The retained garage wall is not the existing length of the wall and if allowed to be built it would come within the PRA of a neighbouring tree
- Loss of trees will have a significantly impact on foraging and commuting bats
- The submitted bat surveys did not follow best practice guidance due to the timings of the surveys
- The extension to the north will overshadow dune landscaping, a potential habitat for lizards, including sand lizards

10 letters of support have also been received which generally support the investment and renovation of a tired home, believing that it will enhance the area and improve the neighbourhood.

Policy Context

The application site lies within a Primarily Residential Area as designated by the Sefton Local Plan which was adopted by the Council in April 2017. The National Planning Policy Framework (revised July 2021) is also a relevant material consideration.

Key relevant policies are explained throughout the report.

Assessment of the Proposal

The development proposes several extensions to the existing dwelling, including the erection of a part two storey and part single storey extension to the south and east elevation of the building and a first floor extension to the north facing elevation of the dwelling. The existing garage would also be partially converted and stepped in from the side boundary by 1m, plus a roof terrace would be created to the front of the property.

The current proposal is a revised scheme following the refusal of an application at this site in June 2022. The previous scheme proposed much larger extensions to the dwelling and more radical remodelling of its style. The earlier scheme involved a 109% increase in the footprint of the building and 128% increase on the building's volume. It was refused due to the size, scale and materials not being in keeping with the original dwelling. The current proposal has been significantly reduced in scale from the original refused scheme, approximately halving the size of the extensions. The resulting footprint and volume increase of the current proposal measures 57% and 60% respectively. The design has also been amended, such that it is more sympathetic to the style of the original dwelling, rather than remodelling the entire property, as previously proposed.

The main issues to consider are the impacts on the heritage assets, design, tree and ecology matters, plus the impact on the living conditions of the existing neighbours.

Heritage

The site lies within the Blundellsands Conservation Area, the dwelling to the north is a Non-Designated Heritage Asset and directly in front of the site is the Grade II listed St Nicholas drinking fountain.

National Planning Policy Framework (NPPF) – Relevant Heritage Considerations

Paragraph 195 requires Local authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspects of the proposal.

Paragraph 203 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 regards to the scale of any harm or loss and the significance of the heritage asset.

Relevant Local Plan Policies - Heritage

In terms of assessing the impact on the heritage of the surrounding features and area, a number of Local Plan policies are applicable.

Policy NH9 (Heritage Assets) states at section 3:- *'Key elements which contribute to the distinctive identity of Sefton, and which will therefore be a strategic priority for safeguarding and enhancing into the future, include (3c) the spacious planned character of Victorian and Edwardian suburban conservation areas such as those in Birkdale, Blundellsands, Christ Church, Moor Park and Waterloo Park'.*

Policy NH11 (Works Affecting Listed Buildings) states at section 1, amongst other things:- *‘Works affecting a Listed Building or its setting will only be permitted where (1a): any alterations preserve the historic fabric and features of the building and /or its setting which contribute to its significance; ... (1c) new development affecting the building’s setting respects and conserves historic and positive existing relationships between the listed building and its surroundings’.*

Policy NH12 (Conservation Areas) states at section 1:- *‘Development within conservation areas will only be permitted where the proposal is of high quality design and preserves or enhances the character or appearance of the conservation area. Development must ensure that:*

- a) Replacement or new features are of an appropriate style and use materials which are sympathetic to the age, architecture and features of the affected property,*
- b) Extensions, alterations or additions respect the layout and historic pattern of development in the conservation area affected,*
- c) Hard and soft landscape features which contribute to the historic value of the site to the conservation area are retained (including historically significant features from previous uses),*
- d) The character of historic boundary treatments, patterns of trees and planting in the conservation area are retained and enhanced’.*

During the assessment period of this application, the owner of the adjacent dwelling to the north, 108 The Serpentine North, has submitted a heritage assessment in support of identifying the dwelling as a Non-Designated Heritage Asset. This has been reviewed by the Conservation team and as a result 108 The Serpentine North has been accepted as a Non-Designated Heritage Asset. Therefore Policy NH15 (Non-Designated Heritage Assets) is also applicable, which states that *‘Development affecting a locally listed asset or its setting, or 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’.*

Impact of proposals on Heritage Assets

The Conservation Officer has reviewed the proposal and provided detailed comments on the impacts on the surrounding heritage assets.

With regards to important views into the Conservation area, the extension is not considered to give rise to adverse impacts. The two-storey and first floor side extensions will increase the width of the first floor development fronting The Serpentine North, however it is well set back in the street scene and is also set in from the side boundary to no.108, such that views of the neighbouring property from the coastal path to the south and west of the site would remain. This is further emphasised by the substantial distance between the side elevation of no.108 to the boundary with the application site. The bulk and massing of the proposed extensions are not therefore considered to disrupt key views both into and out of the conservation area.

The existing post-war property is of modern construction and does not possess any particular architectural merit. The existing dwelling is considered to make a neutral impact on the Conservation Area. The development would modernise the property in terms of materials and would increase the scale, however the overall style of the property would appear similar to that of the existing dwelling. The design is considered to be of high quality and would offer an improvement to the current appearance of the site. The character and rhythm of the existing property would largely be retained and therefore the development would not appear harmful within the wider street scene. Conditions are suggested to control the materials and roof lights, to ensure appropriate finishes are achieved.

The footprint of the building will be increased, although it will have no significant impact on the surrounding area. The Conservation Area is characterized by large plots which enhances the significance of the area. The existing plot does not contribute positively to the character of the Conservation Area, as it does not have any historic significance having been previously subdivided. This is in contrast with those larger plots that remain which do contribute positively to the Conservation Area. The scale and mass of the proposals is acceptable within this plot and respects the original dwelling design.

In relation to the adjacent St Nicholas Fountain (Grade II listed), the Conservation Officer concludes that there is adequate distance between the proposed development and the fountain (in excess of 12metres) such that whilst the proposed works will fall within the setting of the monument, the works will not have an adverse impact on its setting. There is a variety of property styles which sit within the backdrop of the fountain, including Fountain Court, a three storey flatted development of no discernible merit. The key interest relates to the actual monument itself rather than its wider setting. As such it is considered that there would be no adverse impact on this heritage asset.

The dwelling to the north, 108 Blundellsands Hall is now considered a Non-Designated Heritage Asset (NDHA). The application property currently provides a clear contrast in style with the historic property. It is not believed that the proposed extension to the dwelling, of a similar style, will detract from Blundellsands Hall. The heritage aspects of Blundellsands Hall appear to be the materiality of the building and the setting within a large and spacious plot. The first floor extension would be set in from the common boundary between the two properties and would be located approximately 18.5m from the facing elevation of Blundellsands Hall. The proposed development at 102 The Serpentine North would have no impact on the materiality of 108 Blundellsands Hall, nor would the proposed development impact upon the setting of the building which would retain its large and spacious plot. The development therefore would conserve those aspects which contribute to the significance of 108 Blundellsands Hall and would therefore comply with Policy NH15.

Having regards to the above, the proposal is considered to have an acceptable impact on all of the identified heritage assets. The development is therefore in accordance with Local Plan Policies NH9, NH11, NH12 and NH15, together with the heritage aims within the National Planning Policy Framework.

Design

The most relevant policies regarding the design and appearance are as follows.

Policy HC4 (House Extensions) states:- *'Extensions and alterations to dwelling houses will be approved where they are of a high quality of design that matches or complements the style of the dwelling and the surrounding area and the size, scale and materials of development are in keeping with the original dwelling and the surrounding area'*

Policy EQ2 (Design) states:- *'Development will be permitted where: (Part 3a) In relation to the design of buildings and structures: proposals make a positive contribution to their surroundings through the quality of their design in terms of scale, height, form, massing, style, detailing, landscape and use of materials...'*

The existing property is a 1960s style dwelling, which presents a gable end roof finish to the street, with a shallow pitch. The property also has an attached triple garage towards the northern boundary, with a large roof terrace above.

The proposed development would involve building over the existing garage and part two storey, part single storey extensions to the east and south elevations. With regards to the scale, the extensions would increase the footprint of the building by approximately 57% and the volume by approximately 60%. The additions would represent a sizeable addition to the dwelling. However, a significant portion of this would be in the form of the single storey extension along the southern side boundary. Due to the boundary treatment and landscaping to the front and side, this would not be particularly visible within the street and would add little in the way of perceived additional bulk.

The surrounding area comprises a range of dwellings both in terms of design and scale. The resulting scale would not be out of keeping with that of the surrounding dwellings. The ground floor would extend up to the southern boundary, while the first floor additions would be set in 3.3m from this boundary and between 1.5m and 3.9m from the northern boundary. The development would retain sufficient distance to the side boundary so as not to appear cramped within the plot. The expanse of the extended property, when viewed within the street scene, would be comparable to the dwellings on either side, plus other properties within the vicinity. The first floor extension over the garage would involve the continuation of the existing roof slope, raising the ridge height by 0.6m. While it would not appear subservient, in that it would not be set below the main roof line, the design would appear consistent with the existing character of the dwelling. The increased ridge height is not considered excessive or likely to appear out of keeping within the street, as the maximum height would still remain below that of the neighbouring dwellings on either side. The flat roof on the section to the south is considered acceptable given the existing expanse of flat roof over the garage and therefore would not appear at odds with the overall design.

The amended design conforms with many elements of the existing property, while updating and modernising its overall finish. The roof design comprises a mix of pitched and flat roofs, which are both existing features within the original dwelling. While the original property is mainly brick, it does have elements of render in the front elevation. The material finish following the extension would be predominantly render, which would be considered acceptable, particularly given the use of render on other nearby properties, including the neighbouring property to the south. The fenestration details in the principal elevation include some large openings, with the largest matching the angle of the roof slant above and it echoes the shape of the existing feature window. A double height glazed panel would also be inserted by the entrance door.

The existing roof terrace is visible within the street scene and balconies/terraces are evident at a number of nearby properties. Therefore, the proposed terrace to the front would not be deemed harmful to the appearance of the area.

The proposed extensions would fit comfortably within the plot, retaining adequate private amenity land. The design is considered appropriate for the dwelling, and it would sit comfortably within its general context and not detract from the character of the surrounding area. As such the proposal is considered acceptable in respect of its design and appearance and conforms with Policy EQ2.

In relation to size and scale, these aspects are considered to be acceptable overall in terms of how the dwelling is viewed within its plot and in the context of the surrounding properties and would be in compliance with Policy HC4.

Impact on Living Conditions of Neighbours

The dwellings most likely to be affected by the development would be those on either side. The closest is the dwelling to the south, 98 The Serpentine North, which has a staggered rear building line due to previous extensions at the property. The first-floor addition to the application dwelling would be set in approximately 3.3m from the shared boundary. The side gable of no.98 is blank. There are only two windows proposed in this facing elevation serving a bathroom, which could be suitably controlled by condition to ensure they are obscurely glazed. As such the first-floor extension would not raise any privacy concerns and would not have a significant impact in terms of overshadowing or loss of outlook to the neighbouring dwelling.

At the ground floor level, the single storey extension to the side would abut the southern boundary shared with 98 The Serpentine North. This section has a flat roof with a height of 2.9m. The boundary is screened by vegetation and given the limited height along this boundary it would not appear unduly prominent when viewed from this property.

The dwelling to the north is 108 Serpentine North, Blundellsands Hall. The common boundary between these dwellings is set at an angle to the application dwelling. At the closest point the rear corner of the first floor extension would be set in approximately 1.5m from the boundary, with this distance increasing to approximately 3.9m towards the front of the extension. The distance between the extension and the side elevation of no. 108 would be 18.5m at the closest point and no windows are proposed in the side elevation of this section. The extension would replace an existing large roof terrace which currently occupies the area above the garage and offers direct views into the garden area of No.108. The removal of this terrace will improve privacy to the neighbouring site. The proposal includes a smaller outdoor terrace towards the front of the extension. Unlike the existing terrace, this would be set away from the boundary and with the inclusion of appropriate screening to the side, there would be increased privacy between the two sites.

The proposal includes three Juliet balconies within the rear elevation. Two would replace existing windows within a similar position in the existing rear elevation, while the third would be positioned in the rear elevation of the proposed first floor extension over the garage. The third Juliet balcony would introduce a new opening closer to the boundary with No.108, however it would be set in approximately 3.6m from the boundary and would only give minimal views towards a section of the expansive rear garden of the adjacent dwelling. It is not considered that the Juliet balconies would give rise to a significant loss of privacy to the adjacent dwellings.

The property directly to the rear of the site is 17 Park Drive. The proposed two-storey extension would retain a minimum distance of 29m to the rear of No.17.

The extensions would retain adequate separation distances to the neighbouring dwellings, in line with distances set within the Council's guidance on House Extensions. As such the development would not appear overbearing or unduly affect the outlook of any of the surrounding dwellings. The orientation of the proposed windows and roof terrace, subject to condition, would not raise any privacy concerns. The living conditions of the surrounding residents would therefore be adequately protected in accord with Policy HC4.

Trees and Landscape

The application has been supported by a Tree Survey which has been reviewed by the Council's Tree Officer. The proposal would involve the direct loss of three trees (T10, G11 and T12) to accommodate the extensions to the south. The tree plans and survey also propose the loss of three further trees (T7, T27 and T30) to be removed due to their condition, all of which are within the application site. As these are not directly required for the implementation of the development they cannot be considered as part of this application and would require separate consent due to their location within the Conservation Area if they were to be removed.

T10, G11 & T12 are low to moderate quality trees and it is not considered that their loss would have a significant impact upon the visual amenity of the surrounding area and could be successfully mitigated by replacement tree planting located to the front of the site.

Based on the tree protection plan submitted, there are concerns that the construction of the extension would not be possible with the fencing as proposed in the vicinity of two further trees (T8 and T9), which are also within the application site. To ensure the scheme is implemented without having a detrimental impact on the trees identified for retention, plus the trees not considered necessary to remove, a pre-commencement tree condition could be attached which requires the submission and approval of an arboricultural method statement. This method statement would be required to include any amendments necessary to the tree protection plan and would also agree the proposed trees to be removed within the site. A landscaping condition would also be required to achieve replacement tree planting for the trees to be lost.

Numerous objections and correspondence have been received from the neighbouring property to the north concerning the accuracy of the plotting of their trees, in proximity to the two storey extension originally proposed to the northern elevation. The proposal has since been amended to remove the two storey section adjacent to the boundary with No.108 and now only proposes a first floor extension over the existing garage to this side of the dwelling. The built form at the ground floor level will therefore not increase on this side and there will be no encroachment into the Root Protection Area of the neighbouring tree. An amended plan has also been received to ensure the existing wall along this boundary will be retained at the current length and will not involve any additional length of wall. No objections were raised by the Council's Tree Officer with regards to neighbouring trees, as the proposal has been amended to ensure sufficient distance would be retained so that the development would not encroach into the Root Protection Area of the trees on neighbouring land, both to the north and south.

Comments have also been submitted from the same objector that insufficient plans have been provided that identify the Root Protection Area (RPA) and Crown Spread of the surrounding trees in relation to the proposed extensions, suggesting that they are needed on all of the proposed floor plans. BS5837-2012 British Standards, section 5.2.1, states the RPA and any other relevant constraints should be plotted around each of the category A, B and C trees on relevant drawings, including proposed site layout plans. These details have been plotted on the existing and proposed site plan, which is common practice. The inclusion of them on the proposed floor plans would add no value in terms of assessing the impact on the trees.

It is considered that with the use of the planning conditions, minimal tree loss would be required within the application site and replacement planting could be secured by way of mitigation. The development would not cause harm to the trees on neighbouring land. Therefore, the development would not result in an unacceptable loss of trees and accords with Local Plan Policy EQ9.

Ecology

The applicant has submitted supporting ecology reports, including a Dusk Survey Results, October 2021 and an updated assessment in relation to bats, breeding birds and sand lizards, June 2022. These have been reviewed by the Council's ecological advisors, the Merseyside Environmental Advisory Service (MEAS).

MEAS conclude that the proposals do not require assessment under the Habitats Regulations.

The bat surveys concluded that there was no evidence of roosting bats. It acknowledged that the habitats on and adjacent to the site do provide some commuting and foraging habitat for the bats. However, due to the abundance of alternative commuting and foraging habitats in the immediate surrounding area the removal of these proposed trees is highly unlikely to harm the local bat population. The conclusion is accepted by MEAS. Given the possibility that habitats on/adjacent to the site may provide roosting, foraging and commuting opportunities, lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto habitats areas, in line with National Planning Policy Framework (paragraph 180). This can be secured by a suitably worded planning condition.

Following the review of the submitted surveys MEAS have accepted the conclusions set out in the applicant's updated reports that no evidence of Natterjack toad and Sand Lizards' use or presence was found. The nearest confirmed records of these species are beyond 1km of the site and habitats within the site are sub-optimum for these species. No significant impacts on reptiles and amphibians are predicted, however as a precaution and to avoid harm to other common amphibians or reptile species that could cross the site, a condition following Reasonable Avoidance Measures is advised.

Protective measures are recommended in relation to breeding birds during the construction phase and any landscaping should use species compatible with red squirrels. These issues could be dealt with via condition.

Opposition on ecology grounds

Sustained opposition has been received from the neighbouring property to the north including on issues around ecology. The objector has also submitted an ecology report raising concerns, the first being the dusk bat surveys did not follow best practice guidance due to the timings of the surveys. However, MEAS have advised that while there are some minor limitations to the survey being carried out in September, it did record bat activity and therefore bats were still active during this period and the survey was carried out by a suitably qualified ecologist. The first survey was on 2nd September and the second on 16th September, and the temperatures and weather conditions were appropriate for both survey visits.

The report also raised concern over the loss of trees from the site boundary. However, as referred to above, MEAS have concluded that while the dusk survey identified some limited use of the site boundaries, the development is unlikely to have a significant impact on local bat populations due to the abundance of alternative commuting and foraging habitats in the immediate surrounding area.

The report went on to imply that the proposal would impact on Sand Lizards through the loss of habitat and direct harm to this species, as well as shading of 'Optimum' sand lizard habitat in the gardens to the north. However, MEAS have rebutted this concern, as there is no evidence to demonstrate the potential presence of Sand lizards within the site and no records have been found of them within 2km of the site.

A further objection was received by MEAS on 5th September 2022 which reiterated previous ecology concerns. Again, MEAS have reviewed this and confirmed that it does not raise any additional ecological concerns above those previously raised and responded to.

MEAS have concluded that the supporting surveys clearly demonstrate that there will be no adverse impacts on any protected species or habitats as a result of the development.

Planning Balance and Conclusion

The proposal seeks to extend and modernise the existing 1960s dwelling, which currently has a neutral contribution within the Conservation Area. The design of the development is considered high quality which both respects the style of the existing dwelling and would improve its appearance. The proposal would preserve the character of the Blundellsands Park Conservation Area, the setting of the nearby Listed St Nicholas drinking fountain and the Non-Designated Heritage Asset to the north of the site, Blundellsands Hall. Therefore, the proposal is considered to be acceptable in terms of its impact on the surrounding heritage assets.

The development would result in a sizeable addition to the dwelling. However, on balance the additions are considered acceptable for both the property and the plot. With regards to the footprint, massing and height the development would not appear out of character in the area and in its relationship with immediately adjoining dwellings. Sufficient distances would be retained to boundaries, to both preserve the street pattern but also to protect the living conditions of the neighbouring properties.

The proposal would not give rise to an unacceptable loss of trees, or cause damage to those trees to be retained, nor would it have a significant impact on the ecology within the site or the surrounding area.

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. Overall and on balance the proposal is considered acceptable and compliant with the relevant Local Plan Policies and the National Planning Policy Framework. It is therefore recommended for approval.

Recommendation – Approve with Conditions

Conditions & Reasons

Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of three 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:

686-11-B Proposed Site Plan
686-13-B Proposed Alternative Ground Floor
686-14-D Proposed First Floor
686-17-C Proposed East and North Elevation
686-16-B Proposed West and South Elevation
686-19-D Proposed Roof Plan

Reason: For the avoidance of doubt.

Before the Development is Commenced

- 3) Notwithstanding the details contained in the Arboricultural Report, no development shall take place (including the pre-construction delivery of equipment or materials, creation of site access or clearance of the site) until an Arboricultural Method Statement (AMS) and tree protection plan setting out measures for the protection of retained trees has been submitted to and approved in writing by the Local Planning Authority. The submission must as a minimum include the following;

- i. A Site Plan to identify all the trees to be retained within the site
- ii. Tree protection fencing details and location;
- iii. Removal of existing structures and hard surfacing
- iv. Installation of temporary ground protection;
- v. Retaining structures to facilitate changes in ground levels;
- vi. Preparatory works for new landscaping;
- vii. Auditable system of arboricultural site monitoring, including a schedule of specific site events requiring input or supervision including reporting to LPA at appropriate timings.

The AMS must be carried out by a competent arboriculturist in line with BS5837;2012 (Trees in relation to design, demolition, and construction- Recommendations). Any protection measures detailed in the method statement such as fencing and/or ground protection must be in place prior to the commencement of the works on site and shall be retained in place until the development hereby permitted is complete.

Reason: The condition is required prior to commencement as it will ensure there is no unacceptable tree damage or loss and is placed to safeguard the appearance of the area.

- 4) No development shall take place until a scheme detailing the planting of replacement trees, on a 1:1 ratio has been submitted to and approved in writing by the local planning authority. The scheme shall include details of their species, size and location.

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

- 5) No development shall take place until samples 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. This shall include details of the rooflights which should be conservation style rooflights, installed flush to the roof.

The approved materials shall then be used in the construction of the development.

Reason: In the interest of visual amenity and in order to preserve the character and appearance of Blundellsands Park Conservation Area

- 6) A lighting scheme ensuring the protection of ecology and avoidance of excessive light spill onto existing habitats shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and retained at all times thereafter.

Reason: To prevent instances of light pollution and to safeguard existing identified habitats.

During Building Works

- 7) 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 are required to be submitted for approval.

Reason: To protect birds during their breeding season.

- 8) During the construction of the development, the following Reasonable Avoidance Measures shall be adhered to as a precaution:
- o Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas;
 - o The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians / reptiles from seeking shelter or protection within them; and
 - o Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil (or similar) to prevent amphibians / reptiles from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians / reptiles.

Reason: To safeguard conservation of species/habitats.

- 9) Prior to the use of the roof terrace to the front of the dwelling, details of a privacy screen shall be submitted and approved in writing by the Local Planning Authority. The approved screening shall be installed before the first use of the terrace and shall be permanently retained in that condition thereafter.

Reason: To ensure that the privacy of neighbouring occupiers is retained at all times.

- 10) Prior to the use of the en-suite bathroom within the two storey extension to the south, the two first floor windows in the south facing elevation shall be fitted with obscured glazing, and any part of the windows that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To ensure that the privacy of neighbouring occupiers/land users is retained at all times.

Ongoing Conditions

- 11) If within a period of 5 years from the date of the planting of any tree proposed as part of the landscaping scheme, or any tree planted in replacement of it, is removed, uprooted, or destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size shall be planted at the same place during the next planting season immediately following the death/removal/destruction of that tree.

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

Informative

- 1) The applicant is advised that in respect of condition 4, the detailed submission should consider the provision of woody species and other species conducive to Red Squirrel population.