

Committee: **PLANNING**

Date of Meeting: **18 August 2010**

Title of Report: **S/2010/0801**  
**61-63 Albert Road, Southport**  
(Cambridge Ward)

Proposal: Outline Planning Application for the erection of a four-and-a-half storey apartment block containing 14 no. dwellings after demolition of the existing detached properties

Applicant: Mr T Jaeger

### **Executive Summary**

The application is seeking outline consent for the erection of a four and a half storey apartment block containing 14 no. dwellings after demolition of the existing detached properties.

The main issue for consideration in the assessment of this outline application is the principle of a block of 14 apartments to be erected on the site. All other matters are reserved and therefore cannot be considered at this stage.

**Recommendation(s)**      **Approval (subject to submission and receipt of acceptable bat and red squirrel survey information)**

### **Justification**

The scale and massing of the proposed block of 14 apartments is appropriate to the street scene and character of the area. The proposal will not have a significant detrimental impact on residential amenity for surrounding neighbours and the apartments will provide a reasonable standard of accommodation for future occupants. The proposal therefore complies with the Council's adopted policies H10, CS3 and SPG New Housing Development and the granting of planning permission is justified.

### **Conditions**

1. T-2 Outline planning permission (Time Limit)
2. T-3 Reserved Matters (Time Limit)
3. D-1 Restriction on number of dwellings (Outline)
4. D-3 Slab levels (Outline)
5. The landscape plan submitted at Reserved Matters stage shall include details of the proposed landscaping for the additional amenity area shown edged blue on the submitted location plan. The landscape plan shall be implemented in full and maintained as such thereafter as amenity space serving the apartments

hereby approved.

6. The detailed plans submitted as reserved matters shall ensure that no basement accommodation is provided.
7. M-6 Piling
8. H-1 Remove existing vehicular/pedestrian access
9. H-2 New vehicular/pedestrian access
10. H-6 Vehicle parking and manoeuvring
11. H-7 Cycle parking
12. S-106 Standard S106
13. NC-4 Protection of breeding birds
14. Details of the number and position of bat boxes / bricks to be provided on the site shall be submitted to and approved by the Local Planning Authority. Once erected, the boxes / bricks shall remain in situ thereafter.
15. X1 Compliance

## **Reasons**

1. RT-2
2. RT-3
3. RD-1
4. RD-3
5. In the interests of visual amenity and residential amenity and to comply with policies H10 and CS3 of the Sefton Unitary Development Plan.
6. RD-1
7. RM-6
8. RH-1
9. RH-2
10. RH-6
11. RH-7
12. RS-106
13. RNC-4
14. The safeguard the conservation of species and to accord with policy NC2 of the Sefton UDP.
15. RX1

## **Notes**

1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new 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 Section on 0151 934 4175 or [development.control@technical.sefton.gov.uk](mailto:development.control@technical.sefton.gov.uk) for further information.

## **Drawing Numbers**

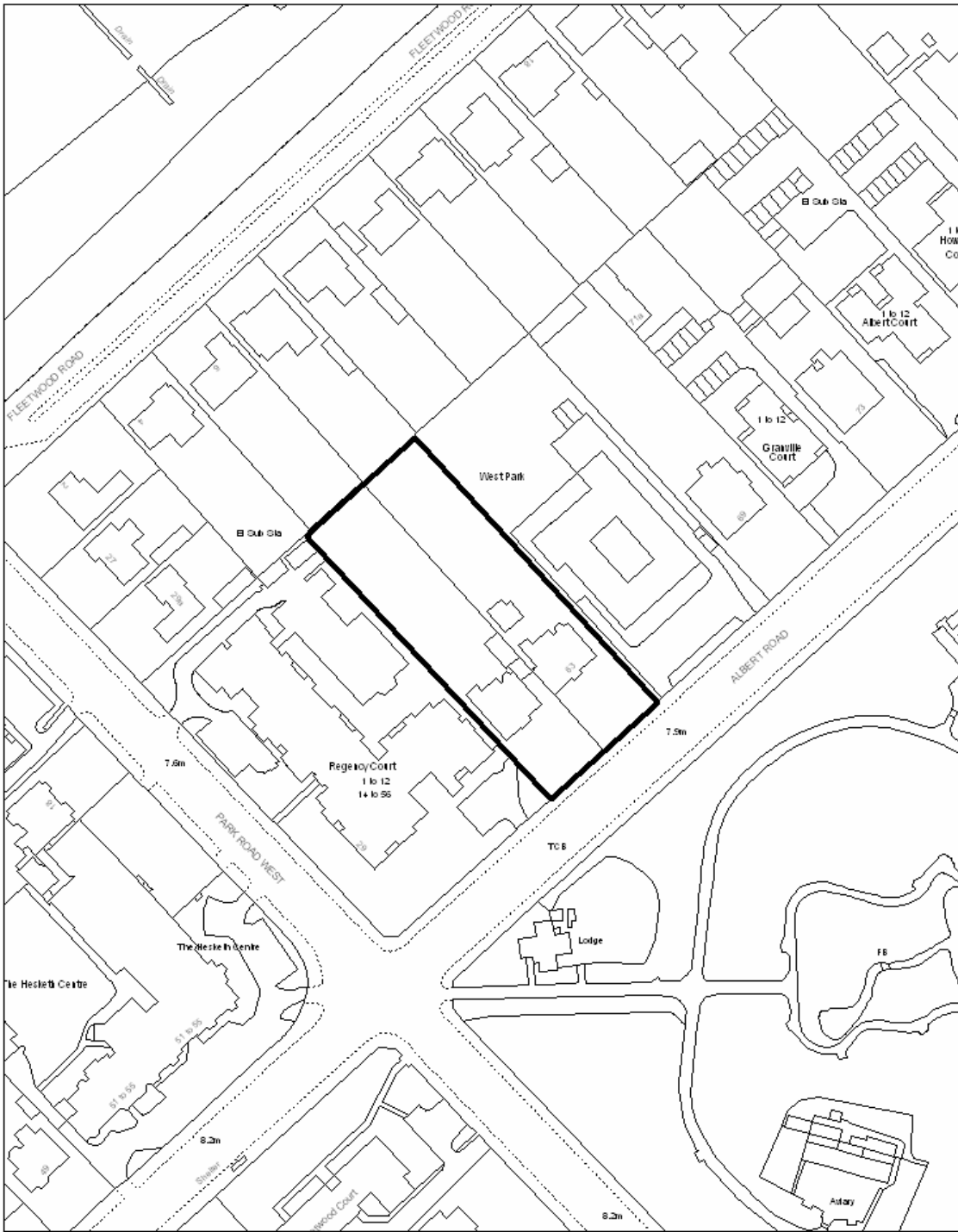
Location plan; site plan; indicative street scene illustration received 28/06/2010; indicative landscape plan received 02/08/2010; indicative internal layout plans received 02/08/2010

## Financial Implications

<b>CAPITAL EXPENDITURE</b>	<b>2006/ 2007 £</b>	<b>2007/ 2008 £</b>	<b>2008/ 2009 £</b>	<b>2009/ 2010 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b>REVENUE IMPLICATIONS</b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

## List of Background Papers relied upon in the preparation of this report

History referred to  
Policy referred to



**Sefton Council**  
**Planning & Economic**  
**Regeneration Department**  
 Andy Wallis - Director  
 Planning & Economic Regeneration is part of the  
 Regeneration & Environmental Services Directorate

S/2010/0801  
 61-63 Albert Road  
 Southport  
 PR9 9LN  
 OSGR: 334684, 418276    Sleetyj: 5100    Area: 3368 sqm

**Standard Site Plan**  
 Scale: 1:1250  
 Date: 3/8/2010  
 Drawn By: EBERT on

Ward(s): Cambridge  
 Postcode Sector(s): PR9 9  
 Polling District(s): 24  
 Parish(es): None Found

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## The Site

The site comprises two existing Victorian Villas on the north-western side of Albert Road set in large private gardens. The surrounding area is characterised by large Villas, some of which have been converted into flats, new build flats, residential institutions, care homes and single family dwellings. The site lies opposite Hesketh Park which has 'Historic Park and Garden' status.

## Proposal

Outline Planning Application for the erection of a four-and-a-half storey apartment block containing 14 no. dwellings after demolition of the existing detached properties

## History

S/2009/0874 Outline planning application for the erection of a block of five, 4 storey townhouses fronting onto Albert Road and a block of six, part 3, part 4 storey town houses at the rear after demolition of existing buildings - Refused 17/12/09. Appeal dismissed 14/05/2010.

## Consultations

*Highways Development Control* – There are no objections in principle to the proposal to construct 14 self-contained flats after demolition of the existing buildings as there are no highway safety implications. It is proposed to close off the existing vehicular accesses and introduce new vehicular and pedestrian accesses. The proposed vehicular access is shown as being approximately 8.5 metres wide which is excessive. The vehicular access should be 4.8 metres which is sufficiently wide to enable two cars to pass one another. Any subsequent reserved matters application should specify a 4.8m wide vehicular access. Alterations to the highway will be required, such that the existing redundant footway crossings are reinstated as footway and a new footway crossing introduced to correspond with the position of the new vehicular access. Nineteen off-street parking spaces for the 14 flats are proposed, however, no cycle parking has been shown on the drawings. In accordance with the Supplementary Planning Document 'Ensuring Choice of Travel', 14 secure cycle spaces for residents (in an enclosed secure cycle shed) must be provided, along with 2 cycle stands i.e. 'Sheffield' stands for visitors, which should be located close to the main entrance to the building.

*Environmental Protection Director* – No objection in principle subject to piling condition being added.

*Merseyside Environmental Advisory Service* – The proposed site is approx. 150m from a Local Wildlife Site (Municipal Golf Links, no. 19) and policy NC1 applies. However, on this occasion the development is unlikely to have a significant impact on the local wildlife as there is no physical pathway likely to cause any significant effect between the application site and the Local Wildlife Site. Bats have been recorded within 500m of the site, and the site is opposite Hesketh Park which is extensively wooded. Existing trees and buildings on the site may provide potential habitat for bats.. A daytime bat roost potential assessment

survey must be undertaken by a suitably qualified and experienced surveyor prior to determining the application. The site lies within the Red Squirrel Refuge and Buffer Zone which has been adopted by the Council and trees on the site may provide habitat for red squirrels. A red squirrel survey should be carried out by a suitably qualified and experienced surveyor. If they are found to be present, then detailed mitigation measures should be included in the survey report. This matter must be dealt with prior to determination.

## Neighbour Representations

Last date for replies: 07/07/2010

Letters of objection received from Regency Gardens (Jones Homes); Apt 22 Regency Court; 6 Fleetwood Road; 29A Park Road West raising the following concerns:

- Depth of the building greater than the existing buildings on the site, inappropriate and overbearing on Regency Court.
- Lack of detail on the application means that overlooking cannot be assessed.
- The area edged blue which is not included in the site leaves a problem and it would not be responsible to determine an application without what is happening / proposed to this piece of land. Would weaken negotiating position of Council in trying to secure acceptable solution for area hatched blue.
- Leaving the area blue leaves an undevelopable site with 3 options; one where the land is never developed and therefore becomes a hazard; two where a proposal is submitted for non residential use; three where a proposal is submitted for residential use which would conflict with the recent appeal decision for the site which refused back land development.
- Land at rear should not be treated as a separate entity.
- Security issues on blue land and potential for crime and vandalism.
- Density at 52 dwellings per hectare is out of character and is only at high density as the site area has been reduced.
- Car parking is inadequate and should be increased to 2 spaces per dwelling.
- Use of Land Registry document with a genuine title number might mislead people to believe that the title to the area hatched blue is different from the title to the area hatched red, but checks with the Land Registry confirm that this is not the case.
- Rear amenity area is dominated by car parking so limits the amount of useable amenity space.
- Visibility splay to Albert Road would improve access.
- Will the design at 4.5 storeys be in keeping with the street scene.

A petition of 53 signatures has been submitted on the following grounds:

1. That the proposal leaves an isolated plot of land at the rear which may lead to security issues and have a negative impact on residential amenity for surrounding neighbours;
2. The rear projection of the apartment building extends 7 metres beyond the rear elevation of Regency Court which is more than the 3 metres recommended by SPG which has an overbearing effect on the outlook of residents of Regency Court.

## Policy

The application site is situated in an area allocated as Primarily Residential on the Council's Adopted Unitary Development Plan.

CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ4	Public Greenspace and Development
H10	Development in Primarily Residential Areas
H12	Residential Density
AD2	Ensuring Choice of Travel
NC1	Site Protection
NC2	Protection of Species

## Comments

The main issue for consideration in the assessment of this Outline application is the principle of the erection of a 4.5 storey building of 14 apartments. As all other matters are reserved, there is limited assessment that can be made at this stage in terms of design or layout as the plans submitted are for illustrative purposes only and can be altered at the reserved matters stage. However, the indicative plans do offer a valuable insight into how the developer anticipates that the site may work and how the apartments may be achieved within the footprint of the proposed building. As part of this assessment, the impact on character and appearance of the area, including street scene issues are also referred to.

### Principle

The site lies within a residential area where residential development is appropriate and as the Council does not currently have a housing restraint mechanism in place, the principle of residential development is therefore acceptable subject to other planning policy constraints.

### Character of the area

Policy DQ1 requires development to make a positive contribution to its surroundings through the quality of their design and respond positively to the character and form of its surroundings. Supplementary Planning Guidance 'Design' refers to the importance of design and that development should be of an appropriate size, proportion, form and use for their location and fit in with a reinforce local patterns of development. The Settlement Character Plan for Southport identifies the site as within an area of large Victorian properties set on large plots.

In this case, the site lies within a residential area where there is a mix of new build flats, flat conversions, residential care homes and private dwellings. The scale of properties fronting Albert Road is traditionally large with the form of development in this area having altered over time. Some properties on Albert Road have accommodated large extensions to the rear and there are a number of new build flat schemes with car parking areas / garage courts to the rear. Despite this, these plots have in general retained large areas of external space surrounding the buildings



which is characteristic of this area.

The scale and massing of the building is appropriate in this location given that of the surrounding buildings fronting Albert Road. The proposed building is 4.5 storeys in height with the indicative street scene elevation submitted showing the height of the building being in keeping with the heights of both Regency Court to the south and West Park to the north. Whilst the detail of the elevation is subject to change at Reserved Matters stage, the height of 4.5 storeys is referred to in the description of development and the development would therefore be restricted to this. The building is also shown as a single block across the frontage but with a recess in the centre which provides a visual break in the street scene. This reflects the fact that the site was previously two separate properties and this break is important in terms of maintaining some variety and separation within the elevation and street scene.

### **Residential Amenity**

Policy H10 permits development proposals in residential areas provided certain levels of privacy and amenity are maintained for occupiers of existing and proposed properties.

Amended indicative layout plans have been submitted showing how the proposed 14 duplex apartments can be achieved within the proposed building. It is considered that no significant overlooking issues arise from the proposal. Furthermore, each habitable room appears to have a reasonable and unobscured outlook, though clearly these plans are indicative only and are subject to change.

Neighbours have raised concerns regarding the extent of the rear projection of the proposed building, particularly given its proximity to the side boundaries and that it fails to meet the SPG in this respect. The SPG states that rear projections should not extend beyond the rear wall of neighbouring properties by more than 3metres if the proposed building is within 1 metre of the site's boundary. In this case the building is more than 1metre from the boundary (apart from a small bay shown) and the rear section is even further recessed, thus meeting this requirement. Amended indicative plans have been submitted which show a slightly altered footprint of the building, with the rear section of the building being staggered away from the boundaries. The proposal therefore meets the SPG requirement.

The car parking to the rear may, in other locations, be considered inappropriate given the nature of the rear of adjoining sites generally being private gardens. In this case, however, the adjoining Regency Court has a car park to the rear as do a number of other flat developments on this section of Albert Road. It would therefore seem unreasonable to treat the rear car parking as unacceptable in this instance. The level of amenity space provided to the rear is less than the 30 sq m per flat as recommended by SPG 'New Housing Development', however, it also shows excessive areas of access road and hardsurfacing which could be reduced at Reserved Matters stage thus increasing the level of amenity space to a satisfactory level.

### **Land edged blue on Site Plan**

Concern has been raised regarding the area of blue land which has been omitted

from the site and does not form part of this application. Neighbours have also raised objections on this matter on the basis that the land may become derelict and create anti-social behaviour / security issues, and also may leave potential for the applicant to wish to develop the site at a later date. As it is important to ensure that the site is redeveloped comprehensively, the applicant has been asked to provide information regarding their intentions for this land.

The applicant has confirmed that the blue land will be used as additional amenity space for the occupants the apartments. This is considered reasonable and whilst the land does not form part of the planning site for the purposes of this application, as it is adjoining land within the ownership of the applicant and therefore can be controlled by condition, to ensure that the use referred to is implemented and maintained as such.

### **Trees and Greenspace**

Policy DQ3 requires three new trees to be planted on the site per apartment, a total of 36 trees is therefore required as 2 dwellings would be removed. The landscape plan submitted shows 42 trees to be planted on the site but this appears to be excessive. However, as all matters are reserved including landscaping, this can be addressed at Reserved Matters stage also once full detailed landscaping plans are submitted. If there is insufficient space available on the site to plant 36 trees, the applicant will be required to enter into a section 106 agreement for the remaining trees to be planted off site at a cost of £460 per tree. A condition will be used to ensure the provision of trees and compliance with policy DQ3.

Policy DQ4 requires the provision of, or a financial contribution towards public greenspace, for residential schemes of 5 dwellings or more. The current cost is £1734.50 which would require the applicant to enter into a section 106 agreement to provide a commuted sum of £24,283. This can also be required by condition.

Merseyside Environmental Advisory Service have stated that bat roost potential and red squirrel surveys are required prior to determination. It is therefore recommended that the Committee delegate the decision to the Planning Director once the surveys have been completed and approved by MEAS.

### **Conclusion**

The proposed erection of a 4.5 storey building of 14 apartments fronting Albert Road is acceptable in principle and the scale and massing is appropriate to the street scene. The proposal will not have a significant detrimental impact on residential amenity for surrounding neighbours given the distance from surrounding dwellings and the apartments will provide a reasonable standard of accommodation for future occupants. The proposal therefore complies with the Council's adopted policies and SPG and is therefore recommended for approval subject to the decision being delegated to the Planning Director following the submission and approval of bat roost potential survey and red squirrel survey.

Contact Officer: **Mrs S Tyldesley** Telephone **0151 934 3569**

Case Officer: **Andrea Fortune** Telephone **0151 934 2208**  
(Wed, Thurs, Fri only)

**PETITION AGAINST PROPOSED DEVELOPMENT - REF S/2010/0801**

NAME (Block Capitals)	SIGNATURE	ADDRESS
1 A. R. FULLER	<i>A. R. Fuller</i>	65 REGENCY COURT PARK RD WEST
2 ANNE L. GREEN	<i>A. L. Green</i>	22 REGENCY COURT PARK RD WEST
3 LIVIA E. AHERTON	<i>L. E. Aherton</i>	21 REGENCY COURT 29 PARK ROAD WEST
4 J C HESSION	<i>J C Hession</i>	25 Regency Court " " "
5 J C HESSION	<i>J C Hession</i>	25 REGENCY COURT " " "
6 P. WELLS	<i>P. Wells</i>	7, " " "
7 B O'TOOLE	<i>B O'Toole</i>	24 REGENCY COURT 29 PARK ROAD WEST
8 T O'TOOLE	<i>T O'Toole</i>	24 REGENCY COURT 29 PARK RD WEST
9 L. J. CLEARY	<i>L. J. Cleary</i>	19, REGENCY COURT, 29 PARK RD WEST
10 FRANCES CLEARY	<i>F. Cleary</i>	19 REGENCY COURT "
11 IRENE URMSTON	<i>I. Urmston</i>	15, REGENCY COURT, 29 PARK RD, WEST
12 ALAN JAMES WOOD	<i>A. J. Wood</i>	APT 11 15 " " " " "
13 FAEDA L. WOOD	<i>F. L. Wood</i>	APT 11 REGENCY COURT PARK RD WEST
14 Mareen Callaghan	<i>M. Callaghan</i>	APT 18 REGENCY COURT