

**Case for Article 4 Direction from shops and offices to residential (E to C3) for
Bootle**

OCTOBER 2022

Introduction

Why is there an issue?

There are long-standing issues in Bootle with vacant shops, particularly those on shopping parades, due to an oversupply and low demand. In many cases these have been converted to poorly designed flats which detract from the area and provide inadequate living conditions. The way people shop has made these parades more vulnerable, and this has been exacerbated by the recent pandemic, with resultant lockdowns and changes to shopping habits. Changes to the Use classes order may further threaten the viability of parades in Bootle and result in a proliferation of poorly designed, poor-quality homes.

What is the change of Use from E to C3?

Recent changes to permitted development have made it easier for various changes of use that don't require formal planning permission. Traditionally most permitted development rights have been associated with minor house extensions and alterations. However, in recent years, the Government has extended these to other areas including increasing amounts of commercial uses.

An example that has impacted upon Sefton, is for changes of use from offices to residential which has seen several large office buildings in Bootle and Waterloo in particular, change use to residential. Prominent schemes have included the conversion to flats of Daniel House on Trinity Road in Bootle and the 3TC buildings in Waterloo.

Recently there has been a change to the Use Classes Order which has grouped a wide range of uses together into one category, Class E (Commercial, Business and Service). Class E consists of the following:

Use, or part use, for all or any of the following purposes:

- a) Shop other than for the sale of hot food
- b) Food and drink which is mostly consumed on the premises
- c) the following kinds of services principally to visiting members of the public
 - i. financial services
 - ii. professional services (other than medical services)
 - iii. any other services which it is appropriate to provide in a commercial, business or service locality
- d) Indoor sport and recreation (not swimming pools, ice rinks or motorised vehicles or firearms)
- e) Medical services not attached to the residence of the practitioner
- f) Non-residential creche, day centre or nursery
- g) i) office ii) the research and development of products or processes or iii) any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area)

What the above means is that there can be any change within those categories which will not require planning permission as they will not constitute development.

There have also been changes to the Town and Country Planning (General Permitted development) order. With a new class MA added in part 3 schedule 2. The full part MA is found in Appendix 1 below.

To summarise, Class MA allows a change of use from anything in class E to C3 (residential) with certain exceptions. These exceptions any include any proposal is to convert over 1,500m² of floor area, or if the building has not been vacant for over three months.

Rather than needing planning permission, a Prior Approval application is required that does is not subject to full planning scrutiny and only certain conditions need to be met (class MA and its conditions can be seen in Appendix A).

What is an article 4 direction, why might it be considered, what area will be covered and how does it work?

An article 4 direction is a means to prevent certain types of permitted development from taking place. Instead, where an article 4 is in place, permitted development rights are removed and a planning application would be required and all the wider planning issues would need to be considered.

An article 4 direction is normally needed where it is considered that certain forms of permitted development will, or may, cause considerable harm to the area without appropriate planning controls. The purpose of this report is to consider whether the change from E to C3 might cause that harm.

An article 4 direction works by publishing the intention to have the direction. It can come into force immediately. That has the advantage of addressing the issue straight away. The disadvantage is that developers can claim compensation for development opportunities that have been lost due to the article 4 direction. Alternatively, an article 4 direction can come into force after twelve months. This is known as a non-immediate article direction. The disadvantage is that some detrimental developments may take place in those twelve months. However, the risk of compensation claims is removed as sufficient notice is given to property owners.

An article 4 direction should be proportional in size and scale and should not cover unnecessarily large areas. This is set out in para 53 of the National Planning Policy Framework. The article 4 direction being considered here is for specific commercial parades within the Bootle Area Action Plan area only (see Appendix 2 for map of area). The Bootle Area Action plan is a document that is being produced by the Council to guide development and regeneration in the wider Bootle area. Whilst some of the issues may apply to other areas of Sefton, they are considered to apply more to Bootle for the reasons set out in the report (below). This does not mean that similar measures could

not considered in the future for other areas. The Bootle Area Action Plan Area primarily consists of Linacre, Derby and (most of) Litherland wards, although small parts of other wards are included.

Most of the issues in the Bootle area relates to small shops on parades and local centres. There are other issues like large employment areas along Dunning's Bridge Road and by the A565 near the docks. However, because class MA allows consideration by the Local Planning Authority of the impact of noise from neighbouring businesses and because of the limit on floorspace, it is not considered that this is necessary.

The Bootle office quarter has also been quite heavily impacted by changes of use from office space to C3. However, the limit to convert 1,500m² of floorspace under permitted development rights (from August 2021) should reduce the worse impacts of the largest schemes.

Reasons why the article 4 may be needed.

1. To prevent poor quality housing in an area which already has a history of sub-standard homes and in an area where this housing be used by a community with a high number of people on low incomes, poor health and low mobility.
2. To prevent further damage and fragmentation to shopping parades that will be harmful to a local community.
3. To allow effective planning for the area. Specifically, it is acknowledged that there are issues that need to be addressed but the Council are preparing an Area Action Plan for Bootle in order to address some of those issues.

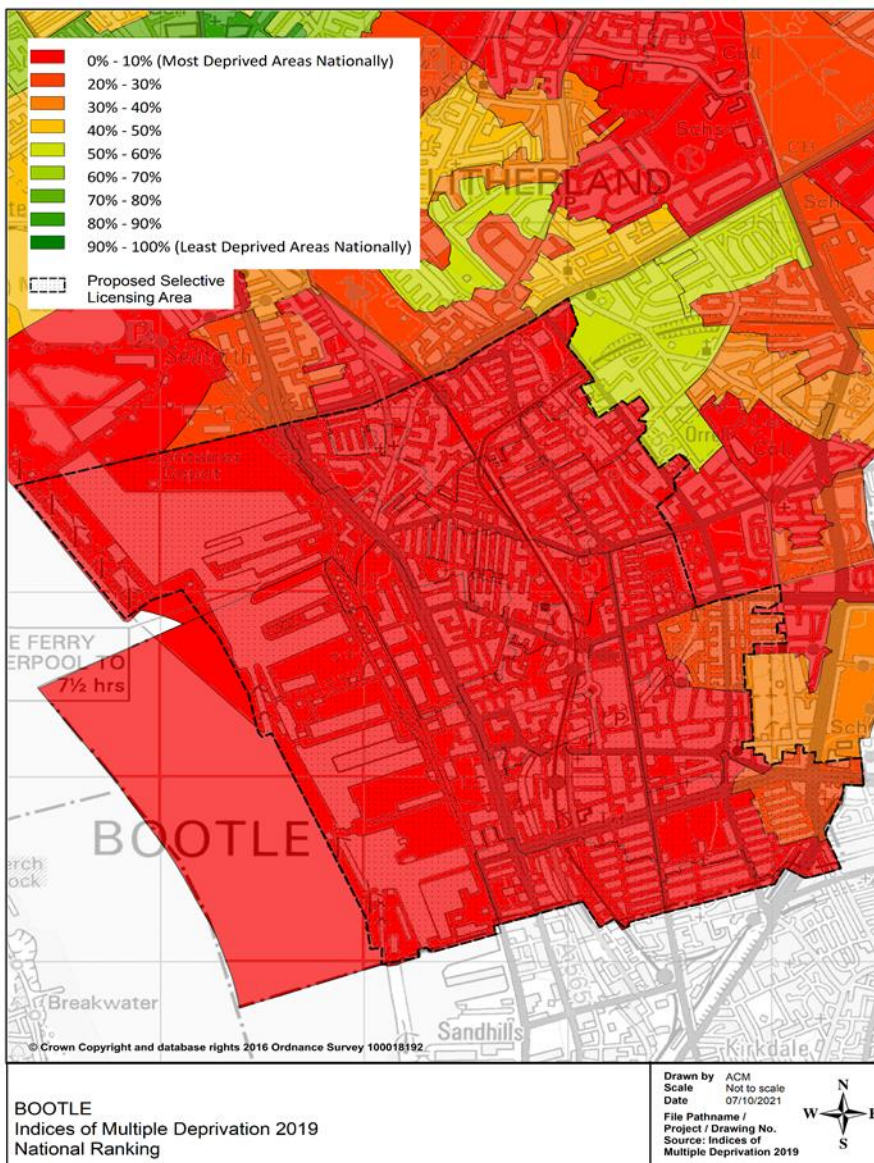
Each of these issues will be considered below.

1. Living standards and Poor Quality Accommodation

Bootle has been long recognised to have some areas of poor quality housing.

There have been a variety of programmes and plans to address this over the years. Some have involved direct market intervention, such as the housing market renewal initiative (HMRI) in the 2000s. Others have come through a variety of regeneration schemes and planning policies and initiatives.

The Bootle area features some of the most deprived neighbourhoods in the country. The map below shows that most parts of Bootle are classed as being within the 10% most deprived in the country.



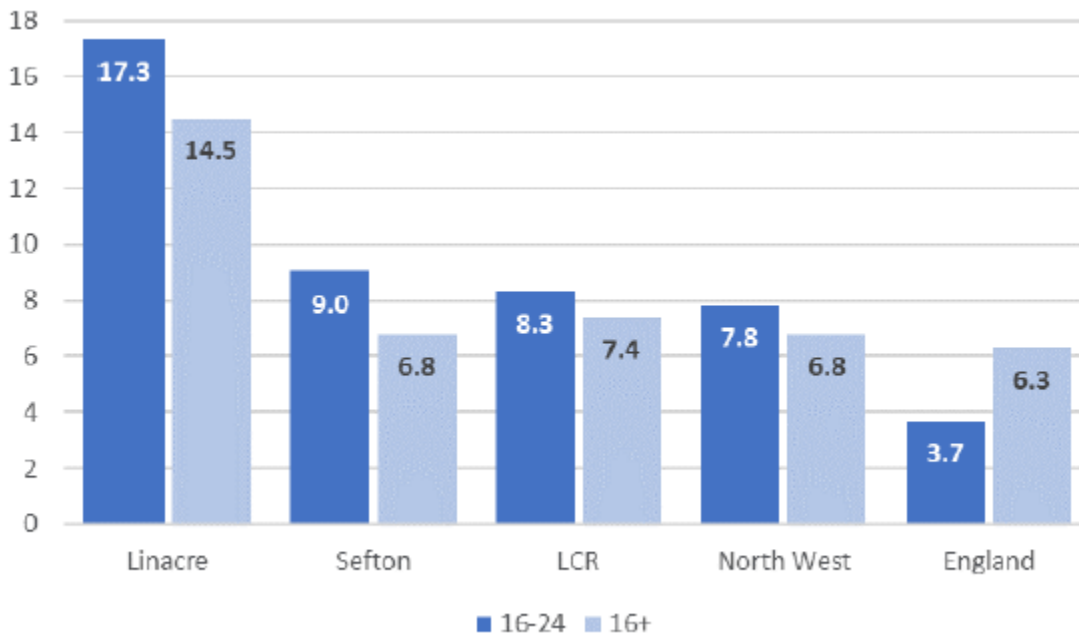
Indices of multiple deprivation 2019

The reasons for the high levels of deprivation are varied and historic. However, it has manifested itself in some poor-quality housing stock and a wide range of deprivation statistics.

In 2017 the Council decided to introduce selective licensing in order to address some of the issues in the private rented housing sector. The selective licensing found the following for Bootle:

Deprivation

- Being within the top 1-5% of the most deprived areas across the country
- Contains the highest rate of Private Rented Sector (PRS) properties across the Borough at approximately 25%
- Suffers high levels of unemployment, low level educational achievement with low skill and low paid occupations
- Highest rate of lone parents across the Borough
- Average household incomes of £22,600 are the lowest in the borough and compare to an average £29,000 for the whole borough
- Over a third of people aged 16 and over in Bootle have no qualifications, compared to a quarter for the whole borough

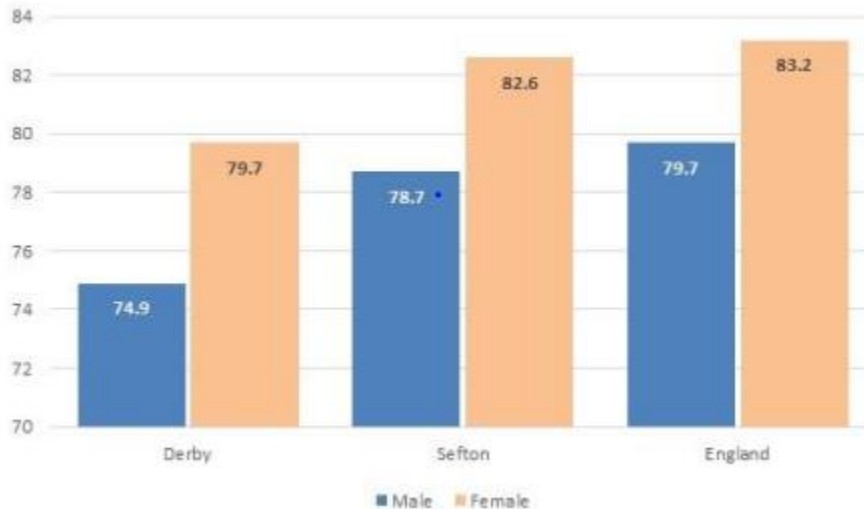


Rate of Working Age Residents Claiming Out of Work Benefits (January 2021)

In the 2021 Ward profiles for Linacre Ward it can be seen that a really high percentage of residents are claiming benefits. The rate for people of 16+ is 14.5% which is well above the Sefton (9%), Liverpool City Region (8.3%), Northwest (7.8%) and English (6.3%) averages. The figure for Derby ward is 11% and 9.4% for Litherland.

According to Experian Mosaic in 2020, 36% (2,158) of households within Derby Ward in Bootle had an annual income of less than £15,000 (Figure 12), considerably higher than the rates seen across Sefton (23%).

Other issues in Bootle include some very poor levels of general health. Whilst health isn't always connected to property conditions, there are clear connections and poor quality housing can make resident's physical and mental health worse.



Life expectancy at birth (2015/2019).

Above we can see that the average life expectancy for men and women are considerably lower than both the Sefton and English averages in Derby ward. There is a similar picture in the other wards in Bootle.

The area also has low levels of car ownership and therefore more limited mobility.

In most statistics on deprivation the Bootle area scores poorly. This is particularly concerning given the current cost of living crisis and particularly with soaring energy bills.

Bootle also has some very low levels of car ownership. Derby, Linacre, Litherland and Netherton and Orrell have respective car ownership rates of 429.9, 462.7, 507.2 and 592.3 cars per 1,000 households against a Sefton average of 632, and an English average of 734.2 per 1,000. This means that the population as a whole is less mobile. Given the number of people on benefits and in poor health, this may also restrict access to some public transport.

As discussed earlier, the Council introduced Selective Licencing to improve property conditions. The Selective Licensing in the area has helped to privately rented properties and had provided an opportunity to develop better relationships between the Local

Authority and landlords. By working together there can be benefits for both landlords and tenants. If more households can be helped out of poverty, the prosperity of the area generally will improve making it a more attractive area to live, which in turn should improve the popularity of housing in this area. However selective licensing only applies to certain types of properties and a wider range of tools are needed.

Property Conditions

The area has some very poor property conditions. These include:

- High rate of housing disrepair complaints, with enforcement action taken over property conditions
- Levels of non-decent homes of circa 26% are higher than the rate of all private housing in the borough of 15.8%
- The highest levels of fuel poverty are found in Bootle

Given that there is some poor-quality housing within Bootle, it is a major concern of the Sefton Council if more are created through poor quality changes of use.

Planning has supported the selective licensing scheme by introducing an article 4 direction for changes of use from single dwelling houses to HMOs in the areas with the biggest issues from conversions to HMOs within Sefton and this includes much of Bootle. Larger HMOs already required planning permission, but smaller ones did not. The particular concerns that informed the HMOs article 4 direction were twofold:

1. Concerns about adverse changes to the character of existing areas due to numbers of change of use applications to HMOs.
2. There were concerns about the poor quality of HMO accommodation being created and the resulted impact upon living conditions of residents.

Particular concerns with some of the conversions that have taken place have been through poor quality, or no outdoor amenity space for residents and rooms that are inadequate. Bootle has suffered from some of these issues. A number of planning applications have been refused on the grounds of inadequate living conditions and some of these have been backed by Government appointed planning Inspectors on appeal.

Changes in Use from E to C3, if not done appropriately, can give rise to creating poor quality accommodation. The conditions within Class MA (see Appendix 1) do not give protections for living standards of residents, for example with regard to inadequate outdoor amenity space, poor quality outlook and prospect and small, cramped room sizes. This has been a particular concern for Sefton Council and an area where the Council has sought to drive up standards so that all residents will have access to good quality amenity space. This is for both recreation and socialising, but also so that the residents will be able to naturally dry washing. This is important in an area with high degrees of fuel poverty. It is also noted that the extensive use of tumble driers is very inefficient in terms of energy and will have a climate change impact. Many old shops

and employment premises have little or no outdoor amenity space and little potential to create any. It is crucially important, given the high levels of deprivation set out earlier, that adequate outdoor space is provided. In the current energy crisis, having a lack of amenity space may mean that more people will need the use of a tumble drier. The current cost of living crisis will make this challenging for many. Given the high levels of deprivation in the area, it is important that changes of use can be assessed properly with planning applications to avoid more poor-quality accommodation.

It is noted that the Housing Standards team have had to take action on a number of conversions from commercial units on Bootle parades in the Bootle area.

2. Impact upon Local of parades and centres

The impact upon vitality and viability of parades for changes of use are important. Class MA does allow some consideration of the impact where a ground floor is being converted. However, the impact of change of use needs to be considered. There are a high numbers of vacancies on shopping parades in the Bootle area. All of the parades and Bootle Town Centre are set out in a map in Appendix C. This has been an issue for a number of years. However, changes in retail patterns over the last couple of decades and the Covid-19 pandemic have seen significant increases in vacancies on parades and reduced diversity and function. Bootle has a large number of parades of varying sizes. Whilst it is not the intention to go into detail on all of them, it is important to look at some of the larger parades. Some of the larger parades have been particularly impacted.

The parades main parades were visited in 2022 and when viewed, there were a very high number of shops that were shuttered when viewed. This does not mean that they are all vacant. Some may have been closed for the day. Others, for example some hot food takeaways, may only open in the evening. However, many of these units are known to be vacant. All of the parades have been assessed in previous retail health studies by the Council.

Stanley Road (south of the Bootle town centre)

Stanley Road south consists of a whole series of parades from the boundary with Liverpool to the south, to Balliol Road at the north end. Traditionally it has seen a very busy parade with a wide range of businesses. However, over the past 20 years it has seen a decline in the number of occupied units. For example, in the 2012 parades study showed that some of the parades on Stanley Road had up to 34% vacancies.

Many of the shop units are in the original Victorian three-storey blocks but a few of them were newly built in the last decade and included purpose built apartments above. Most of the upper floors of retained Victorian blocks have been converted to flats when they once provided accommodation for the business owners at the ground floor. The units served a wide area and particularly the very tightly packed traditional terraces that were characteristic of the area.

Housing market decline was quite marked in the area and so has been the decline in commercial premises. There was direct market intervention through the Housing Market Renewal initiative (HMRI) in the 2000s. Many of the streets to the west were altered as part of the Bedford Queens Housing Market Renewal Initiative in the 2000s. This has brought some modern and lower density housing into the area. Much of the housing to the east remains unaltered.

The Covid pandemic and the resulting physical and economic restrictions have seen a further increased in vacancies. It is not unusual to see some of the parades dominated

by solid metal roller shutters during the day due to a combination of vacancies, reduced opening hours and hot food takeaway.

It was noted in the site visit that there are a significant number of units that are vacant. A number of the blocks appeared to have at least half or more units vacant or shuttered. The number of vacancies is an important factor because the change of use allowed in Class MA is contingent on units being vacant for at least three months. Therefore, a unit that is current occupied under class E does not benefit from the permitted development available through class MA.



Stanley Road at the junction with Keble Road

There is a fair amount of consistency in the number of vacancies across the blocks although there were more vacant units to the north end than the south. Many of the units appear to have upper floors that are occupied by residential, but few so far seem to be occupied by residential at the ground floor level. This may reflect the weak housing market in the area and may also reflect the robust Council planning policies for restricting poor quality conversions. However, with new class MA rights, those policies can no longer be used.

If a number of vacant units were to be converted to residential, it could create a situation where a number of blocks could become fragmented. This may result in a further undermining of existing units.

Knowsley Road

The Knowsley Road parade is situated to between the Southport to Liverpool railway line and Gray Street. It serves the large residential communities east the docks and the west and northwest of the town centre.

The parade has traditionally had a wide range of shops and services and had remained relatively successful in recent years. Again the pandemic and changes to shopping patterns have had an impact and the parade is now suffering a high of vacant units. This is particularly apparent towards the eastern end of the parade.

The middle and western end has remained relatively vibrant with a variety of shops and a reasonable amount of footfall.

There are some concerns about the decline in the number of shops that are open, even if it is not on the same level as Stanley Road and Linacre Road (see below). However, it does remain vulnerable to some of the changing patterns that are being seen in retail. Fragmentation of the parade through changes of use to residential is something that is a concern going forward.

Linacre Road

The Linacre Road parade extends from the Johnsons site up to the old railway line to Aintree.

The Linacre Road parade was once the main local shopping area for the large residential areas at the north end of Bootle and south Litherland.

There are whole stretches of the parade that have significant amounts of vacancies. Indeed, during recent site visits, there were blocks that had more units without occupants than those with. Furthermore, the parade has already a number of units that have been converted to poor quality, poorly designed homes, notably part of the block (98-102 Linacre Road) opposite the May Lean factory and 99-105 Linacre Road.

It is unlikely that the parade will attract enough businesses in the future to prosper in the way it once did. The changes to retail patterns and the sheer number of available units mean that this is not realistic. What is also apparent is that the number of solid roller shutters on vacant units, derelict buildings, poor quality conversions and lack of greenery makes the area appear to be very unsightly and it does not reflect well on the neighbourhood. It also perhaps detracts from a number of really fine quality buildings that are in the locality including the Linacre Methodist mission, Pacific Public House, St Andrews Church and former Wesleyan Sunday School.

Class E to C3 permitted development rights are likely to cause further damage and fragmentation to Linacre Road parade.



Linacre Road at the junction with Lily Road

Hawthorne Road South

There is a quite prominent parade at the south end of Hawthorne Road. It is north of the Liverpool City Council Boundary and Kirkdale railway station. This is a long parade that is already very fragmented. There are a large number of vacancies. The parade has had a high number of vacancies for many years but now long stretches are now either vacant or have already been converted to other uses.

Few of the remaining units have much potential for providing adequate open space should they be converted which would be a concern as set out earlier in this report.

Many of the existing conversions are aesthetically poor looking and the parade could really benefit from a comprehensive plan in the Bootle AAP.

Seaforth Centre

Seaforth centre is another important parade. And covers a large area in the north end of the Bootle AAP. It has a number of current vacancies but is not in the same poor health that some other areas are in. Seaforth is a significant distance from the centre of Bootle so it is really important for local residents, especially given the lower car ownership rates.

The Seaforth centre has a good car parking area unlike some of the parades and has a more modern set of retail units, known as Stella Precinct, opposite the more traditional parade on the east side of Seaforth Road.

Most of the units in the centre do not have an obvious potential to provide outdoor amenity space if converted.

Bootle Town Centre

Bootle Town Centre is the retail heart of Bootle and for the south of the borough. It consists of the Bootle Strand, the 1960s purpose built shopping centre between the Strand Road and the more traditional shops on the eastern side of Stanley Road.

The town centre is not considered to suffer from the same degree of issues as some of the longer parades discussed above. This is due to the higher occupancy rates along Stanley Road and opposite the Strand, (although the Strand itself has a number of vacancies). As the Strand is managed alone by one landowner, it is unlikely to suffer fragmentation in the way that's some of the parades might.

The eastern side of Stanley Road consists of smaller units in multiple ownership. Whilst vacancies are still low, this needs to be protected in order that it does not become a major issue and undermine the town centre as a whole. Bootle town centre has lost a number of major retailers in recent years including Marks and Spencer, Tesco and WH Smith and it is important that the town centre, as the main centre in Bootle and south Sefton, isn't undermined by inappropriate conversions. Whilst some residential properties in the town centre could be beneficial in the long term, this needs to be managed and not done on a piecemeal basis.

Other parades

Bootle has a number of smaller parades. These include:

- Marsh Lane (two parades)
- Harris Drive
- Litherland Road
- The Crescent
- Irlam Road
- Linacre Lane
- Orrell Road
- Aintree Road

- Hawthorne Road (four parades)
- Bridge Road
- Ennerdale Drive
- Seaforth Road

These parades are spread around the Bootle area often serve a very local area and, in some cases, provide a vital function for their communities. The facilities in each parade can vary with some having a range of facilities and others being more limited. The health of these parades also vary enormously with some being relatively healthy with few vacancies and others having a lot of vacancies. For example, the parade on Marsh Lane on the junction with Hawthorne Road has many units that have already been converted to dwellings and a others vacant and the parade is in a poor state. Whilst some of those parades continue to struggle, it is important that the role they play in the local community is not undermined by uncontrolled changes of use.



Marsh Lane (west) parade

The shops and businesses in parades in the Bootle area do continue to be important to local communities and particularly where there are increased levels of poverty and

lower levels of car usage. It may well be the case that in some of the parades and shopping areas, it is no longer viable to keep the same number of units as there have traditionally been. It may also be that some of the smaller parades might disappear altogether. This is a continuation of a trend as shown in the Council's Parades Study in 2012, which showed for example, 37% vacancies in the Stanley Road/Linacre Road parade. However unplanned changes of use have the potential to cause further harm and damage.

The potential for unplanned changes of use as exists with class MA does greatly increase the potential for fragmenting of parades. Class MA does allow some consideration of changes where the existing use is a medical setting or a nursery, there is otherwise very little control. Given the role that lack of mobility due to low car ownership (as set out earlier) and the high numbers of vulnerable and deprived people in the community, it is a concern that the continued loss of shops and services may prove to be very damaging to local communities. There is also the question of how big a role residential may or may not have a major role to play in that. However relatively unplanned and unmanaged residential can have a number of potentially unwanted impacts.

It is accepted that some parades are in a very poor state and the recent troubles during the Covid-19 pandemic has not helped small businesses and the impact of the current cost of living and energy issues are not known.

3. To provide for good quality planning for the area and Conclusions.

The issues identified in this report demonstrate a need to ensure alternative uses on many of Bootle's local shopping parades are properly planned for. It is considered that, if left to the market, through the use of permitted development rights, this could exacerbate existing social problems that are prevalent in the area. This is to be done through an Area Action Plan.

The Bootle Action Plan has gone through the early consultation and engagement and is intended to be ambitious in addressing the many issues and opportunities that exist in Bootle.

The Area Action Plan provides the opportunity for planning solutions to some of the issues related to vacancies in commercial and retail units.

There may well be a scope for some residential redevelopment on some of the longer parades and potentially within some employment areas. These are decisions to make by the Council, in engagement with local residents, and it is right that the AAP has the opportunity to set out the planning framework for how this will be managed. The introduction of the article 4 direction will support that effective planning for the area.

The Council also recognise the poor-quality housing in the area. The Council has a New Housing Development Supplementary Housing document (SPD) and an HMOs and Flats SPD that both have robust standards for new and converted properties. One of their aims is to improve housing standards in the area.

Many of the commercial units within shopping parades were not designed for residential and, if converted, often result in inappropriate room sizes and inadequate outdoor amenity space. This is very important for the Council in ensuring that, in an area with high levels of deprivation, the poorest residents aren't left with poor quality housing. Class MA, in allowing the change of use from E to C3, does have potential to undermine these aims.

It is considered that there is compelling evidence that all of the shopping parades within the Bootle AAP area are covered by an article 4 direction. This article 4 direction should then be reviewed no later than 5 years after implementation, when the AAP will be adopted, to see whether it is still necessary.

Appendix 1

Class MA in Part 3 of Schedule 2

Permitted development

MA. *Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.*

Development not permitted

MA.1.—(1) Development is not permitted by Class MA—

- (a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;
- (b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;
- (c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;
- (d) if land covered by, or within the curtilage of, the building—
 - (i) is or forms part of a site of special scientific interest;
 - (ii) is or forms part of a listed building or land within its curtilage;
 - (iii) is or forms part of a scheduled monument or land within its curtilage;
 - (iv) is or forms part of a safety hazard area; or
 - (v) is or forms part of a military explosives storage area;
- (e) if the building is within—
 - (i) an area of outstanding natural beauty;
 - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981(1);
 - (iii) the Broads;
 - (iv) a National Park; or
 - (v) a World Heritage Site;

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

(g) before 1 August 2022, if—

(i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

(ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

(a) the following classes of the Schedule as it had effect before 1st September 2020—

(i) Class A1 (shops);

(ii) Class A2 (financial and professional services);

(iii) Class A3 (food and drink);

(iv) Class B1 (business);

(v) Class D1(a) (non-residential institutions – medical or health services);

(vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);

(vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;

(b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

Conditions

MA.2.—(1) Development under Class MA is permitted subject to the following conditions.

(2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport impacts of the development, particularly to ensure safe site access;

(b) contamination risks in relation to the building;

(c) flooding risks in relation to the building;

(d) impacts of noise from commercial premises on the intended occupiers of the development;

(e) where—

(i) the building is located in a conservation area, and

(ii) the development involves a change of use of the whole or part of the ground floor,

the impact of that change of use on the character or sustainability of the conservation area;

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and

(h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006⁽²⁾,

the impact on the local provision of the type of services lost.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”.

(5) Development must be completed within a period of 3 years starting with the prior approval date.

(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.”.

Appendix 2



Bootle Area Action Plan and Article 4 Area