

Committee: **PLANNING**

Date of Meeting: **09 March 2011**

Title of Report: **S/2010/1761**
5A Manchester Road, Southport
(Cambridge Ward)

Proposal: Erection of a detached two storey dwellinghouse at the rear of the premises fronting Walton Street

Applicant: Mrs Francis Joyce

Executive Summary

The application is seeking consent for the erection of a detached two storey dwellinghouse at the rear of the premises, fronting Walton Street.

The main issues are the design and impact on the character of the area, impact on residential amenity, effect on the setting of a Listed Building, compliance with SPG New Housing Development.

Recommendation(s) Approval

Justification

The proposed dwelling is appropriate in terms of design, scale and massing to the street scene on the basis that Walton Street has an unusual character. The dwelling will not result in a significant loss of residential amenity of neighbouring properties by virtue of overshadowing or overlooking nor will it harm the setting of a Listed Building. The proposal therefore complies with the Council's adopted policies CS3, H10, DQ1, DQ3 and HC4.

Conditions

1. T-1 Full Planning Permission Time Limit
2. M-2 Materials (sample)
3. M-6 Piling
4. M10 Window Reveals
5. L11 Trees - maintenance
6. H-2 New vehicular/pedestrian access
7. H-6 Vehicle parking and manoeuvring
8. The maximum ridge height of the dwelling hereby approved shall not exceed 7.2 metres.
9. X1 Compliance

Reasons

1. RT-1
2. RM-2
3. RM-6
4. RM1
5. RL1
6. RH-2
7. RH-6
8. In the interests of residential amenity and in accordance with policy H10 of Sefton's adopted UDP.
9. 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.

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 for further information.

Drawing Numbers

Drgs 205-P01, 205-P02B & 205-P03

Financial Implications

CAPITAL EXPENDITURE	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
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 <small>Planning & Economic Regeneration is part of the Regeneration & Environmental Services Directorate</small>		S/2010/1761 5A Manchester Road Southport PR9 9EP OSGR: 334218, 417685		Standard Site Plan Scale: 1:1250 Date: 24/2/2011 Drawn By: BEERTON	
<small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sefton Council Licence No. 1000181921.</small>		Sheets: 490A	Area: 190 sqm	Ward(s): Cambridge Postcode Sector(s): PR9 9 Polling District(s): 25 Parish(es): None Found	

The Site

The site currently forms the rear garden of 5a Manchester Road, Southport. The rear section of the garden has a semi-detached single storey garage fronting Walton Street which will be demolished as part of the proposal and the dwelling erected in its place.

Proposal

Erection of a detached two storey dwellinghouse at the rear of the premises, fronting Walton Street

History

89/1146 Change of use of part of ground floor residential to office. Withdrawn 15/01/90.

N/2004/1160 Outline application for a 2 storey dwellinghouse at the rear of the premises fronting Walton Street. Refused 14/12/2004.

Consultations

Environmental and Technical Services – No objection in principle subject to piling condition.

Highways Development Control – No objections.

Neighbour Representations

Last date for replies: 20th January 2011

A petition to speak containing 32 signatures has been received endorsed by Councillor Brenda Porter (attached).

Received: Letters of objection from 5, 5B; 7; 9 Manchester Road; 1; 2 Walton Street; 100 Liverpool Road, Birkdale; 21a Queens Road raising the following concerns:

- Dwelling would be opposite 2 Walton Street and given proposed height and narrowness of road, would result in loss of light and sunshine to dwelling. Views from their lounge would be restricted, and create loss of privacy and increase in noise.
- Will affect privacy of no. 7 Manchester Road, especially Juliette balcony proposed on rear at first floor level.
- Plans do not appear to be accurate – 10.5m and 20.25 distances indicated on plan are not to nearest habitable rooms and have not included conservatory.
- Living room of no. 7 is less than 21m from proposed balcony.
- Will reduce garden area of 5a Manchester Road to less than 70 sq m which cannot be considered appropriate.
- Rear wall of proposed dwelling will extend more than 3 metres beyond the rear wall of 1 Walton Street.
- Proposed dwelling will not be in keeping with surrounding dwellings.
- Previous application in 2004 was refused – what material difference is there between

the two?

- Construction may damage neighbouring dwellings and to build at such close proximity to existing garage is a disaster waiting to happen.
- Loss of light to 1 Walton Street, views affected.
- Gross intrusion of privacy for Manchester Road dwellings into their gardens etc.
- Design is totally out of character to rest of neighbourhood – area has much history and this will be ruined with modern, tall new dwelling.
- Development is an undesirable intensification of use of garden space.
- Significant loss of amenity for neighbours
- Many points in the DAS are incorrect – i.e. age of existing dwellings.
- Number of buildings close to the site are listed and should not be detrimentally affected.
- Restrictive covenant governing the prior sale of the land and subsequent usage which is attached to deeds of 5 Manchester Road (copies have been provided).
- Site is Greenfield (garden) and has never been Brownfield or previously developed land.
- Walton Street was originally a coach house dating back to the Regency period and has not been added as a later development of the rear garden of 5 Manchester Road.
- 5a Manchester Road is already too close to 5 Manchester Road and causes poor outlook from some rooms on the side elevation of 5.

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
H10	Development in Primarily Residential Areas
HC4	Development Affecting the Setting of a Listed Building
SPG	New Housing Development

Comments

The main issues for consideration in the assessment of this application are the design and impact on the character of the area, impact on residential amenity, effect on the setting of a Listed Building, compliance with SPG New Housing Development.

Principle

The site lies within a primarily residential area and there is no current housing restraint mechanism in place. The principle of new residential development is therefore acceptable subject to other policy criteria being met.

Design and character of the area

The character and form of the surrounding area is unusual and Walton Street in particular is a narrow, one way street with a mix of dwellings, rear boundary walls for properties fronting

Manchester Road, a row of garages and historic storage buildings which are listed. There is no prevailing architectural style of dwelling in Walton Street and the design proposed is therefore considered appropriate, using traditional red facing brick and welsh blue roof tiles. The scale of the dwelling is modest which is appropriate to this location. It is two storey, but is only a two bedroom dwelling. The height of the dwelling is 7.2 metres which is higher than the adjacent two storey dwelling at 1 Walton Street, but this is a flat roof property, which has been extended over time and is not a traditional two storey dwelling with pitched roof. The design has been amended slightly and now represents a more positive design solution for the site, in accordance with policy DQ1. Furthermore, given that Walton Street is narrow, one way, and not a traditional residential street, the dwelling will not be viewed from a wider area and its visual impact is therefore limited. The proposed dwelling is therefore considered to be appropriate in this location given the unusual character and form of development in the surrounding area which has evolved over time.

Effect on the setting of a Listed Building

Number 7 Manchester Road is listed and is from the Regency period and the coach house building and stable block to the rear of 9 Manchester Road are also listed in their own right. The proposed dwelling is assessed against policy HC4 which seeks to prevent the character of historic buildings suffering if they become isolated from their surroundings by other development.

There has already been some subdivision of plots in this area, and the character of Walton Street is tight. There is concern that the subdivision of nearby plots may bring pressure for subdivision of the plots relating to Listed Buildings. Each case would, of course, be considered on its own merits but the tight character of the new development would be likely to be inappropriate within the curtilage of a Listed Building as it would have a much greater impact on the Listed Building. However, the present proposal has no real impact on the Listed Buildings and is not out of character with Walton Street.

Impact on residential amenity

Policy H10 requires development to be assessed in terms of residential amenity which relates to that of both proposed occupants of the dwelling and also of neighbouring residents. Supplementary Planning Guidance 'New Housing Development' sets out minimum interface distances between new dwellings and surrounding dwellings in order to prevent overlooking and overshadowing which can significantly harm residential amenity.

The scheme shows a 10.5 metre distance from the proposed first floor rear bedroom window to the boundary of the rear garden of 5a Manchester Road which complies with the recommended minimum distance. A distance of 20.5 metres is also shown between first floor bedroom windows of existing and proposed dwellings which is 0.5 metre less than the 21 metres recommended. Whilst this does not strictly meet the recommendation, it is considered that the difference of 0.5 metres is reasonable and a sufficient separation distance between the dwellings to prevent overlooking and significant harm to residential amenity. The conservatory of 5a Manchester Road is closer to the proposed first floor bedroom at a distance of approximately 16 metres, but is at a different level as the conservatory is ground floor only. Given the conservatory already exists and the applicant of this application is resident at 5a, they are fully aware of the distances proposed, as any future purchasers of the dwelling will be and as such this is considered on balance to be acceptable.

Concerns were raised relating to overlooking from the Juliette balcony. It is accepted that Juliette balconies do not provide usable space, however, amended plans have been requested removing the Juliette balcony from the scheme to reduce the perception of overlooking and these are awaited.

The proposed dwelling will have a private amenity space of 70 sq m which meets the recommended, though it does leave the existing dwelling at 5a Manchester Road with a garden area below the 70 sq m. However, the guidance relates to new dwellings and not existing. Furthermore, the applicant for this application is the occupant of 5a and their amenity space would meet with the 70 sq m minimum without the existing conservatory. As such it is considered the applicant's choice that they have a reduced amenity space, but it is also accepted that this could be increased in the future with the removal of the conservatory should future occupiers wish. The proposal therefore largely meets the guidance and will not have a significant detrimental impact on residential amenity of properties fronting Manchester Road.

In terms of 1 Walton Street, this dwelling has a rear two storey extension with habitable room windows facing the gable of the proposed dwelling at a distance of approx. 9 metres. Whilst this is less than the 12 metres recommended, and the dwelling will result in the introduction of a large structure where there was none previously (only a single storey garage) the habitable room windows referred to are not the only windows serving those rooms as there are windows to the rear also. As such it is considered that these rooms will retain a reasonable outlook. Sections have been requested to demonstrate the change in levels between the application site and surrounding dwellings in order to demonstrate the height of the proposed building compared to adjacent dwellings, and these are awaited.

Other issues

There was an outline application for a two storey dwelling refused on this site in 2004. This was on the basis that the scheme failed the housing restraint mechanism (policy H3) which was in place at the time and also would have a detrimental impact on residential amenity. This restraint mechanism has now been lifted and there is increased pressure to provide additional housing given the current need for housing. As such the principle of the dwelling is considered acceptable. In terms of the impact on residential amenity of the previous scheme, the previous application was in outline only and was a different scheme to this proposed now. There was insufficient information to demonstrate that there would be no adverse impact on neighbouring amenity. Each new application is considered on its merits in relation to current policy and the assessment of residential amenity has been addressed above.

In terms of the 'garden grabbing' issue raised by neighbours, the recent revisions to PPS3 have reclassified garden sites as 'Greenfield' land (they were formerly considered to be previously developed, or 'Brownfield' land). This is intended to remove the in-built presumption in favour of development of garden sites, which was applied to all 'Brownfield' land under the previous version of the guidance. It is important to note however, that this reclassification does not mean that development on garden sites is now prohibited. Planning permission can still be granted on suitable 'Greenfield' sites where residential amenity and other planning considerations can be addressed. This has been done above.

Other objections relating to covenants restricting development are not a material planning consideration. Three trees have been shown to be planted on the site in accordance with policy DQ3.

Conclusion

Whilst it is accepted that the site is unusual, is fairly close to a number of surrounding properties, and also has had a previous refusal of permission for a new dwelling, it is considered that the current application complies with current policy and Supplementary Planning Guidance in terms of impact on residential amenity, street scene and character of the area and affect on nearby Listed Buildings. Furthermore, the previous housing restraint mechanism has been lifted and there is new pressure for new housing to be developed. It is therefore considered that the application is recommended for approval.

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

Case Officer: **Andrea Fortune Telephone 0151 934 2208
(Tues- Fri)**

Sefton Council

Petition To Speak At Planning Committee

You have recently submitted a petition to the Planning Department of Sefton Council regarding planning application:

Site Address: SA MANCHESTER ROAD
Southport

Application Number: Ref 5/2010/1761

Would you please confirm whether or not you wish to address a Planning Committee

Yes

No

If you intend to speak, the petition must be signed by 25 Sefton residents and be supported by a Councillor. Please give the name of the Councillor submitting your petition.

This petition is being submitted by Councillor

Brenda Porter

We will also need to contact the person intending to speak at Committee. Please confirm the following details:

Name MARK TYNDALL

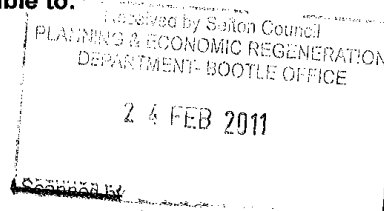
Address 7 MANCHESTER ROAD
SOUTHPORT PR9 9EP

Telephone Number 01704 532111

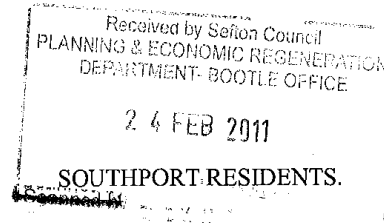
E-mail address _____

Please return this form as soon as possible to:

Sue Tyldesley
Planning Department
Magdalen House
Bootle
L20 3NJ
Fax: 0151-934-3587
E-mail: planning.dcsouth@planning.sefton.gov.uk
(for applications in the South area)



THE PLANNING DIRECTOR
SEFTON PLANNING &
ECONOMIC DEVELOPMENT
MAGDALEN HOUSE
30 TRINITY ROAD
BOOTLE L20 3NJ.



Friday 11 February 2011.

Dear Sirs,

RE : Pending planning application, 5A Manchester Road, Southport, for a new-build dwelling house in rear garden area, Ref S/2010/1761.

We the undersigned are united in petitioning this statement of our firm opposition to the above on the following grounds :

1/ The proposed site is a residential garden and has never been "brownfield" or "previously developed land". The proposed new-build dwelling does not retain the character of its immediate neighbours, which are of invaluable architectural and historical interest to Southport and Sefton since they include at least one listed property at no 7 Manchester Rd (Starr Hills) and date back to the *William IV* era. To add a further new-build two storey house to the back of 5A will ruin the peaceful haven of the rear garden areas of the surrounding properties. We deplore the destructive practice of garden-grabbing, and with regard to said planning application call upon you to reject this application to cram a modern two-storey dwelling on garden land. Building on such a restricted area of back garden will also rob our area of green breathing space, a safe place for our grandchildren to play and havens for urban wildlife.

2/ This and any subsequent planning application on this garden land in question is and will be totally objected to by its immediate neighbours and all petitioners as below-signed, since it would ruin the character of the area. It will also overlook and overshadow the rear family areas of three neighbouring *William IV* properties, as well as being a total blight on what are peaceful and much enjoyed rear gardens. Neighbours in Walton Street, and in particular the cottage at 1 Walton Street, and the properties at 5, and 5B and 7 Manchester Road would all be affected by the potential light-deprivation and lack of peace and privacy and are equally distressed : they have informed you of their own objections individually.

3/ We hereby submit that the proposed two-storey new-build dwelling house would have an overbearing and oppressive effect on the outlook of the rear-facing family

rooms and rear garden and patio areas of all neighbouring properties and would therefore contravene MD1/SPG and CS3 guidelines (impact on residential amenities). There is potential overshadowing to an unreasonable degree (SPG/MD1).

4/ The roof height of this proposed two storey new-build is such that it will tower over the flat-roof cottage at 1 Walton Street. Furthermore the garden area to the Cottage at 1 Walton Street will also be substantially deprived of light. There are trees and land adjacent to the proposed new-build that are important as part of local landscape character, including an extremely old and beautiful willow-tree in the garden of 1 Walton Street that has its shorter twin in the garden of 5 Manchester Road. Any deprivation of light could have a serious adverse effect on this tree. It is noted that there has been no tree survey submitted.

4/ We further wish to point out the potential for disaster with regard to the possible damaging and/or rendering vulnerable the foundations of neighbouring properties due to the fact that these properties date back to the 1800s. Any damage or disturbance such as subsidence or settlement caused by the use of the heavy machinery required to dig the foundations of and subsequently erect such a new-build dwelling in too close proximity to these properties could be far-reaching and indeed have disastrous structural consequences to properties of such historical heritage. It is submitted that there has been no assessment made of flood risk to neighbouring properties.

We are certain that you will understand the grief and distress that this is causing the surrounding properties in both Walton Street and Manchester Road. We hope very much that all submissions to reject this planning application will be carefully considered by yourselves, and that this planning application for an entirely new dwelling on garden land that is objected to by all neighbours as it will ruin the character of the area will therefore sensibly be refused.

We the undersigned call upon you to refuse this planning application on all submitted grounds, now that you have been able to inspect the sites yourselves, and thank you for your ongoing help and support in this matter.

Yours faithfully,

U m Tyn dall.
7 Manchester rd
S/Pur

U m Tyn dall. 59 Wennington rd
Southport

N. Tyn dall
Star Hills
1, Manchester Rd.

B.J. Campdy.
(for Mr. W.T. Outgley)
5b Manchester Rd.

B.J. Campdy.
"Wych Elm"
5 Manchester Rd.

Ed Taylor
W. address on

40 Court Road
18 Manchester Rd

Col. H. Ryan

9. Manchester Rd

J.O. Ryan

9, Manchester Road.

J.V. Marshall

97 SANDOWN COURT.

~~Keith Marshall~~

97 Sandown Court:

~~Keith Marshall~~

100 Liverpool Rd.

Pat Gregan

100 Liverpool Rd

Kyle Watts

15, Arnside Rd.

Adam Watts

15 Arnside Rd..

~~P. H. B. S. K.~~

39 HOUGHTON ST.

