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**Report to:** [Planning Committee](#) **Date of Meeting:** [29 June 2011](#)

**Subject:** [S/2011/0652](#)  
[12 Shaws Road, Birkdale](#)

**Proposal:** [Outline Planning Permission with all matters reserved for the erection of a pair of semi-detached properties on land to the rear of 10 & 12 Shaws Road](#)

**Applicant:** [Mrs Audrey Maria Gerrard](#) **Agent:** [Mrs Audrey Maria Gerrard](#)

**Report of:** [Head of Planning Service](#) **Wards Affected:** [\(Birkdale Ward\)](#)

**Is this a Key Decision?** [No](#) **Is it included in the Forward Plan?** [No](#)

**Exempt/Confidential** [No](#)

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## Summary

The application is seeking outline consent for the erection of a pair of semi-detached dwellings.

The main issue for consideration is the principle of development in this area, impact on character and form of the area and impact on residential amenity.

## Recommendation(s)

Approval

## Reasons for the Recommendation:

The proposal is an appropriate form of development in principle in the residential location. The outline application has demonstrated that two dwellings can be achieved on the site without significant harm to residential amenity, subject to details submitted at reserved matters stage. The proposal complies with Sefton's adopted UDP policies CS3 and H10.

## Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:** [Mrs S Tyldesley](#) Telephone 0151 934 **3569**

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

**Email:** [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

**Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

## The Site

The site is in a backland location at the rear of 10-12 Shaws Road, Birkdale. The site is accessed via a driveway at the side of no. 12 and is currently unoccupied and overgrown garden area for no. 12 Shaws Road. The site is bound by residential gardens to the north and west, workshops / builders yard to the east and Our Lady of Lourdes Primary School to the south.

## Proposal

Outline Planning Permission with all matters reserved for the erection of a pair of semi-detached properties on land to the rear of 10 & 12 Shaws Road.

## History

### 10 Shaws Road:

N/2005/0260 Erection of part single, part two storey and dormer extension to the rear after demolition of existing rear extension. Granted 28/04/2005.

### 12 Shaws Road:

None

## Consultations

*Assistant Director (Transport and Spatial Planning)* – There are no objections in principle to this application as there are no highway safety implications. Whilst there is an existing footway crossing which provides access to off-street parking for 12 Shaws Road, it is unlikely that it will be suitable for use in connection with the two proposed dwellings. The vehicular access serving the two proposed dwellings will need to be 4.1m wide and as such the footway crossing will need to be altered to correspond with this. In addition, a further, separate footway crossing may be required for 12 Shaws Road.

*Head of Service – Environment* – No objection in principle to the proposal subject to piling condition and contaminated land conditions.

*United Utilities* – No objection subject to meeting requirements in terms of surface water discharge no going into foul / combined sewer in accordance with PPS25.

## Neighbour Representations

Last date for replies: 16<sup>th</sup> June 2011

Letters of objection received from 4; 7; 8; 9; 10 and 11 Shaws Road; raising concerns relating to:

- Shaws Road already narrow and will add to existing congestion, traffic and parking problems and be a danger to children.
- Will affect outlook and privacy of no. 10 Shaws Road
- Contrary to garden grabbing policy introduced by Government
- Loss of trees and habitats for birds, bats and red squirrels
- Is 'urban vandalism' of gardens.

- Understood that the land would be sold to the occupants of no. 10 as garden when the property was purchased.
- Fails to respect character and form of surrounding area so fails policy H10
- Access road next to gardens can cause unacceptable disturbance.
- Could end up with a mini estate at the back of other houses which would totally change the character of the area for the worse.

## Policy

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

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ3	Trees and Development
H10	Development in Primarily Residential Areas
EP3	Development of Contaminated Land
SPG	New Housing Development

## Comments

This application is seeking outline consent with all matters reserved for the erection of a pair of semi-detached dwellings on land to the rear of 10-12 Shaws Road, Birkdale. As all matters are reserved, the main issue for consideration is therefore whether the principle of two dwellings is acceptable on this site. Notwithstanding the fact that all matters are reserved, an indicative proposed site plan has been submitted which shows the potential access and siting of the dwellings. This is helpful in determining whether the site can accommodate a pair of semi-detached dwellings and will therefore be referred to.

### Principle

The site lies within a primarily residential area and the principle of residential development is therefore acceptable subject to other policy/site constraints. Furthermore there is an identified housing need in Southport. In terms of the form and character of the area, the surroundings are mixed in terms of plot size and uses. There is a primary school to the rear and builder's yard / workshops to the east which is at the rear of 14 and 16 Shaws Road. Nos. 6, 8 and 12 Shaws Road have very long and narrow rear gardens whilst 2 and 4 have very short rear gardens having had dwellings built behind them. There is therefore evidence that the character and form of the area is mixed and there is some backland uses nearby.

### Residential Amenity

Residential amenity is assessed both in terms of that of the existing neighbours of the site and also that of prospective occupants of the proposed dwelling. SPG New Housing Development recommends that new dwellings have a minimum private amenity space of 70 sq m and this proposal includes a garden area in excess of this. Each habitable room should also have a reasonable outlook. This cannot be assessed at outline stage as the position of windows is not shown, although the indicated position of the dwelling suggests that this recommendation can be achieved.

The proposed dwellings will be centrally positioned on the site and accessed via a driveway at the side of no. 12 Shaws Road. According to the indicative site plan recommended minimum interface distances set out in Supplementary Planning Guidance 'New Housing Development' are met in terms of window – window distances (21 metres required, 27.5 metres shown) and window – neighbouring gardens (10.5 metres required, 15 metres shown).

In terms of the access to the site at the side of no. 12, this is 5 metres in width and SPG requires a minimum of 4.1metres.

The site is currently overgrown garden area for no. 12 Shaws Road and runs across the rear of both nos. 10 and 12. The rear boundary wall for no. 10 Shaws Road is approximately 900mm high and as a result the site is very clearly visible from their rear garden. Given the overgrown and unused nature of the site, it gives the impression for residents that it is undeveloped and almost part of their garden in some respects. There are a number of trees on the site and as part of a full application, a tree survey would be required to be submitted to determine which trees if any should be retained.

Objections have been received relating to potential impact on residential amenity. Due to the overgrown and undeveloped nature of the existing site, neighbours consider that its development would cause significant overlooking and a loss of privacy. Clearly, to have two dwellings at the rear of properties which currently enjoy a fairly open aspect will feel very different in character. Furthermore, the site has a number of trees which give the impression of a less residential location than traditional residential streets where dwellings often back onto each other. Whilst the concerns relating to this are understood, on the basis that the proposal exceeds the minimum requirements set out in SPG, it is considered that the application complies with policy H10 as the proposal cannot be considered to have a significant detrimental impact on residential amenity.

The proposal meets the Council's guidance in terms of new housing development and the indicative site plan demonstrates that a pair of semi-detached dwellings can be achieved on the site. Conditions will be used to ensure that windows are positioned to ensure they meet the minimum interface distances and also to restrict the maximum ridge height of the dwellings to ensure that it does not exceed the height of the frontage properties at 10/12 Shaws Road.

### **Trees**

Policy DQ3 requires the provision of 3 new trees to be planted on the site per new dwelling created. A condition will be used to require the provision of a detailed landscape plan at the time of submitting a reserved matters application which will need to demonstrate the proposed planting of 3 new trees in order to comply with policy DQ3.

Concerns have been raised by neighbours regarding the loss of trees on site and potential impacts to habitats. A condition will be used to require the provision of a detailed tree survey at the time of submitting a reserved matters application which will indicate which trees will be lost / retained and will allow for this issue to be assessed in full.

### **Conclusion**

The principle of a pair of semi-detached dwellings being erected on this site is acceptable given it is within a residential area. The access proposed is acceptable for

this level of development and details to be submitted at reserved matters stage will be determined by conditions and will include levels, window positions in relation to surrounding dwellings, position of buildings, tree survey, landscape details and boundary treatments.

On this basis, the principle of development is considered acceptable, the proposal presents no significant harm to residential amenity, complies with policy and is therefore recommended for approval.

## **Conditions**

1. T-2 Outline planning permission (Time Limit)
2. D1 Details
3. D7 Submission of Ground and Slab Levels
4. M-6 Piling
5. Con-1 Site Characterisation
6. Con- 2 Submission of Remediation Strategy
7. Con-3 Implementation of Approved Remediation Strategy
8. Con-4 Verification Report
9. Con-5 Reporting of Unexpected Contamination
10. H-1 Remove existing vehicular/pedestrian access
11. H-2 New vehicular/pedestrian access
12. H-6 Vehicle parking and manoeuvring
13. The maximum height of any part of the proposed dwellings hereby approved shall not exceed the maximum ridge height of the existing frontage dwellings at 10 and 12 Shaws Road.
14. The details submitted as reserved matters shall include a full tree survey of the site and shall include proposals for replacement of any trees removed on a 2:1 basis.
15. The position of windows in the dwellings hereby approved shall meet the minimum interface distances and recommendations set out in Supplementary Planning Guidance Note New Housing Development.
16. The dwellings hereby approved shall be a minimum distance of 12 metres from the existing rear boundary with 10 and 12 Shaws Road.
17. X1 Compliance

## **Reasons**

1. RT-2
2. RD1
3. RD7
4. RM-6
5. RCON-1
6. RCON-2
7. RCON-3
8. RCON-4
9. RCON-5
10. RH-1
11. RH-2
12. RH-6
13. In order to protect residential amenity of surrounding properties and to comply with policy H10.

14. In the interests of amenity and to comply with Sefton's UDP policy DQ3.
15. In order to protect residential amenity of surrounding properties and to comply with Sefton's UDP policy H10.
16. In order to protect residential amenity of surrounding properties and to comply with Sefton's UDP policy H10.
17. RX1

## Notes

1. 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.
2. 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.
3. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 5-9 above have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until condition 5 has been complied with in relation to that contamination. Contaminated land planning conditions must be implemented and completed in the order shown on the decision notice above.

## Drawing Numbers

Location plan, 16405-001, 002

# Existing Site Plan



<b>Sefton Council</b>		S/2011/0652		<b>Standard Site Plan</b>	
Department of the <b>Built Environment</b> Jane Gowing Head of Planning Services		12 Shaws Road Birkdale PR8 4LP OSGR: 333178, 414344		Scale: 1:2250 Date: 16/6/2011 Drawn By: BERRTON	
© Crown copyright and database rights 2011. Ordnance Survey 100018192		Sheet(s): 4296		Area: 731 sqm	
Created by Sefton Council Planning Services using MapInfo Professional		Ward(s): Birkdale Postcode Sector(s): PR8 4 Poling District(s): S4 Parish(es): None Found			



# Proposed Site Plan

