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**Report to:** [Planning Committee](#) **Date of Meeting:** [08 February 2012](#)

**Subject:** [S/2011/1419](#)  
[Land adjacent to 2 Moorhey Road, Maghull](#)

**Proposal:** [Erection of a detached two storey dwellinghouse on land adjacent to 2 Moorhey Road \(re-submission of S/2011/0990 withdrawn 16 Sept 2011\)](#)

**Applicant:** [. Kube Development](#) **Agent:** [Gary Morris Limited](#)

**Report of:** [Head of Planning Services](#) **Wards Affected:** [\(Molyneux Ward\)](#)

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

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

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## Summary

This is a full application for the erection of a new dwelling on land adjacent 2 Moorhey Road. The issues to consider include the principle of the development, its scale, design and visual impact, impacts on residential amenity and highway safety, as well as flood risk and landscaping considerations.

## Recommendation(s)

Approval

## Reasons for the Recommendation:

The proposal is acceptable in principle and in terms of its scale, design and visual impact and it will not have a detrimental impact on residential amenity, highway safety and issues of flood risk.

## Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

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

**Case Officer:** [Mrs D Humphreys](#) Telephone 0151 934 **3565 (Tue, Thu & 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 L-shaped site comprises an area of vacant land situated at the southern end of Moorhey Road, adjacent number 2, and close to its junction with Northway. The site wraps around an existing pumping station and Melling Brook runs along the rear of the site. The A59 (Dunnings Bridge Road) lies adjacent the site.

The area is generally residential in character although there are several commercial businesses close by in Northway.

## Proposal

Erection of a detached two storey dwellinghouse on land adjacent to 2 Moorhey Road (re-submission of S/2011/0990 withdrawn 16 Sept 2011)

## History

S/2011/0990 - Erection of a detached dwellinghouse - Withdrawn 15/09/11

## Consultations

*Highways DC* – no objections in principle; some minor works will be necessary to construct a new footway crossing to tie-in with the location of the proposed vehicular accesses; add standard conditions and informatives H-2, H-6, I-1 and I-2 to any approval.

*MEAS* – advise that the information provided within the flood risk assessment (FRA) is acceptable in view of the scale, nature and location of the development; FRA includes measures to reduce the risk of flooding eg raising floor levels, porous paving and rainwater harvesting, and these should be secured by condition.

*HSE* – the site does not fall within the consultation distance of any hazardous installations.

*Environment Agency (initial comments)* – object for the following reasons :

1. The proposed development will restrict our ability to access Melling Brook and Old Alt Brook with heavy machinery to undertake essential maintenance or emergency flood alleviation work(s) for the area.
2. There is no evidence to suggest the sequential test has been satisfactorily undertaken in compliance with Planning Policy Statement 25: Development and Flood Risk (PPS25).

The application site is currently our only access point to the watercourses in the area; Melling Brook/Old Alt Brook have been designated “main river” and the Environment Agency’s consent is required for any works within 8m of the bank top of a “main river” – unlikely that our consent would be granted; lack of access could lead to an increased number of flooding incidents and/or an increased severity of flooding; plans show insufficient access for heavy machinery to the watercourses; also note a proposed fence within 8m of the top of Melling Brook bank; EA consent required for the proposed fence,

tree planting and general development works within 8m of the top of the bank of Melling Brook – it is possible that consent will not be granted; alternative means of access suggested by the applicant are appropriate for hand work only, not machinery access and consider it unlikely that the highways department would allow access from the A59; Local Authority needs to carry out the Sequential Test to demonstrate that there are no reasonably available alternative sites in areas with a lower probability of flooding and EA should be re-consulted with the results; EA has a right of entry by virtue of S172 of the Water Resources Act 1991 and a right to carry out maintenance and improvement works by virtue of S165 of the same Act; if the Council is minded to approve the application we would draw your attention to para 26 of PPS25 and allow us to make further representations.

*Environment Agency (follow up comments)* – we note your consideration of the flood risk sequential test and advise that your Council should be completely satisfied that there are no reasonably available sites at lower flood risk for this development; still object to the problem with access through to Melling brook and Old Alt Brook; our consent is required for any proposed works or structures in, on, over or within 8m of the top of the bank of Melling Brook designated a 'main' river and it is unlikely that our consent will be granted.

*Head of Environment* – recommend a higher standard of acoustic/thermal glazing is considered to mitigate traffic noise to habitable rooms with line of sight to the A59. To mitigate the low frequency noise associated with traffic a minimum specification should be 6/12/4. However, the applicant should consider a higher standard of an acoustic/thermal glazing for bedroom. Details of proposed habitable room acoustically treated passive/mechanical ventilation should be submitted for approval prior to commencement of the development. Recommend that a close boarded fence with a minimum height of 2m relative to the road deck level is provided to the garden elevation to the A59 to give protection to the amenity area from traffic noise. Also impose standard condition M-6 (piling scheme).

## **Neighbour Representations**

Last date for replies: 5/12/11

A petition containing 21 signatures of local residents has been received in opposition to the proposals.

In addition, individual objection letters have been received from 2, 3 and 14 Moorhey Road and from 2 Northway. The grounds of objection include:

- Possible disturbance to the foundations of the adjacent dwelling
- Loss of light / overbearing impact
- Proposal will make existing parking problems worse
- New house will be adversely affected by noise and vibration for the adjacent dual carriageway
- How will the street's drainage pipe be accessed by United Utilities?
- How will the Environment Agency access the brook?
- Disruption during construction works
- Metal container on the site does not enhance the area
- Loss of privacy
- Poor design and unsuitable location adjacent a pumping station

## Policy

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

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ5	Sustainable Drainage Systems
EP6	Noise and Vibration
EP8	Flood Risk
H10	Development in Primarily Residential Areas

## Comments

The main issues to consider include the principle of the development, its scale, design and visual impact, impacts on residential amenity and highway safety, as well as flood risk and landscaping considerations.

### Principle

The site lies within an area designated as residential in the adopted Sefton UDP. The principle of developing the site for a single dwelling is therefore considered acceptable.

### Scale, Design and Visual Impact

The proposal relates to a detached two storey 4 bedroom house within an area of 2 storey semis. The scale of the new dwelling is broadly in keeping with surrounding dwellings and its position on the plot is generally in line with adjacent buildings. In addition, its height is similar to adjacent houses. The new house has a gable pitched roof and, although the adjacent properties have hipped roofs, there are other dwelling styles in the vicinity including the houses opposite the site on Northway which have gable pitched roofs.

The scale and design of the new dwelling are considered acceptable and it will not have a detrimental visual impact in the street scene.

### Residential Amenity

The proposed dwelling will be sited approximately 1.7m from the attached garage to the side of 2 Moorhey Road. There is a small side window towards the rear of this building and a landing window at first floor level in the side elevation of the main house. It is not considered that the proposal will result in any significant issues regarding loss of light as these are not main habitable room windows.

Similarly, the proposal will not have any detrimental impacts in terms of overshadowing due to the position of the new building in relation to the adjacent dwelling.

The Head of Environment recommends that the standard piling condition is imposed on any approval to minimise the impacts on local residents during construction. Additional

conditions are recommended in order to minimise impacts on the new dwelling from traffic noise on the adjacent A59. These include the provision of a high standard of acoustic/thermal glazing, acoustically treated passive/mechanical ventilation and a close boarded fence to the garden elevation to the A59. These measures can be controlled by condition.

### Highway Safety

Highways Development Control have raised no objections to the proposal on highway safety grounds. Standard conditions have been recommended to control construction of the new access and formation of the car parking area.

### Flood Risk

The Environment Agency initially raised an objection to the proposal on 2 grounds. The Council would address their concern regarding the sequential test as follows:

In Sefton, the Sequential Test should be considered alongside the wider availability of housing land. Sefton's most recent Strategic Housing Land Availability Assessment (SHLAA) assessed how much land is potentially available for housing development in the Borough. This study found that against current housing targets, Sefton has just less than a 9-year supply of housing land (from 1st April 2010). Importantly, Sefton's emerging Core Strategy needs to identify a 15-year supply of housing land from the date of adoption in order to be judged as 'sound'. Similarly, PPS3 requires that local authorities maintain a rolling 5 year supply of 'suitable, available, and deliverable' sites.

At present Sefton's annual housing target is set by the Regional Spatial Strategy for the North West, at 500 dwellings per annum. Set against this target, Sefton does not have enough urban land to meet its medium to long-term housing requirements. Therefore, even if every sequentially preferable urban site (in Flood Zone 1) were developed for housing, Sefton would still face an overall shortage of land.

In the context of this shortage of development land, the proposal is considered to meet the Sequential Test.

The Environment Agency has since removed its objection concerning the flood risk sequential test.

MEAS are satisfied that the information provided within the applicant's submitted flood risk assessment (FRA) is acceptable and includes measures to reduce the risk of flooding which can be secured by condition.

The Environment Agency is also concerned that the proposal will restrict their access to watercourses in the area. This issue is not considered to be a planning consideration which can affect the decision on this application and the Environment Agency should pursue this matter with the applicant and / or with surrounding landowners. The Environment agency has been advised of the situation and given the opportunity to provide further comment. They have since raised no further comments in this respect.

### Landscaping

UDP Policy DQ3 requires the provision of 3 new trees per dwelling. The submitted plans show that 8 new trees will be planted on the site and the details of these can be required by condition.

### Other Issues

Local residents have raised additional concerns regarding possible damage to property, disruption during construction works and possible lack of access to the drainage system. These are not considered to be planning considerations which can affect the decision made on this application.

## **Conditions**

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. M-2 Materials (sample)
4. M-6 Piling
5. Landscaping (scheme)
6. L-4 Landscape Implementation
7. H-2 New vehicular/pedestrian access
8. H-6 Vehicle parking and manoeuvring
9. P-2 Acoustic glazing
10. P-2 Acoustic glazing
11. A close boarded fence with a height of 2m above the road deck level of the adjacent A59 shall be erected along the west boundary of the site adjacent to Dunnings Bridge Road before the development is occupied and shall be retained as such thereafter.
12. a) A detailed scheme to reduce the risk of flooding both to and from the development shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.  
b) The scheme approved under (a) above shall be implemented in full and retained as such for the duration of the development.

## **Reasons**

1. RT-1
2. RX1
3. RM-2
4. RM-6
5. RL-3
6. RL-4
7. RH-2
8. RH-6
9. RP-2
10. RP-2
11. RP-2
12. To reduce the risk of flooding and to comply with Sefton UDP Policy EP8.

## Notes

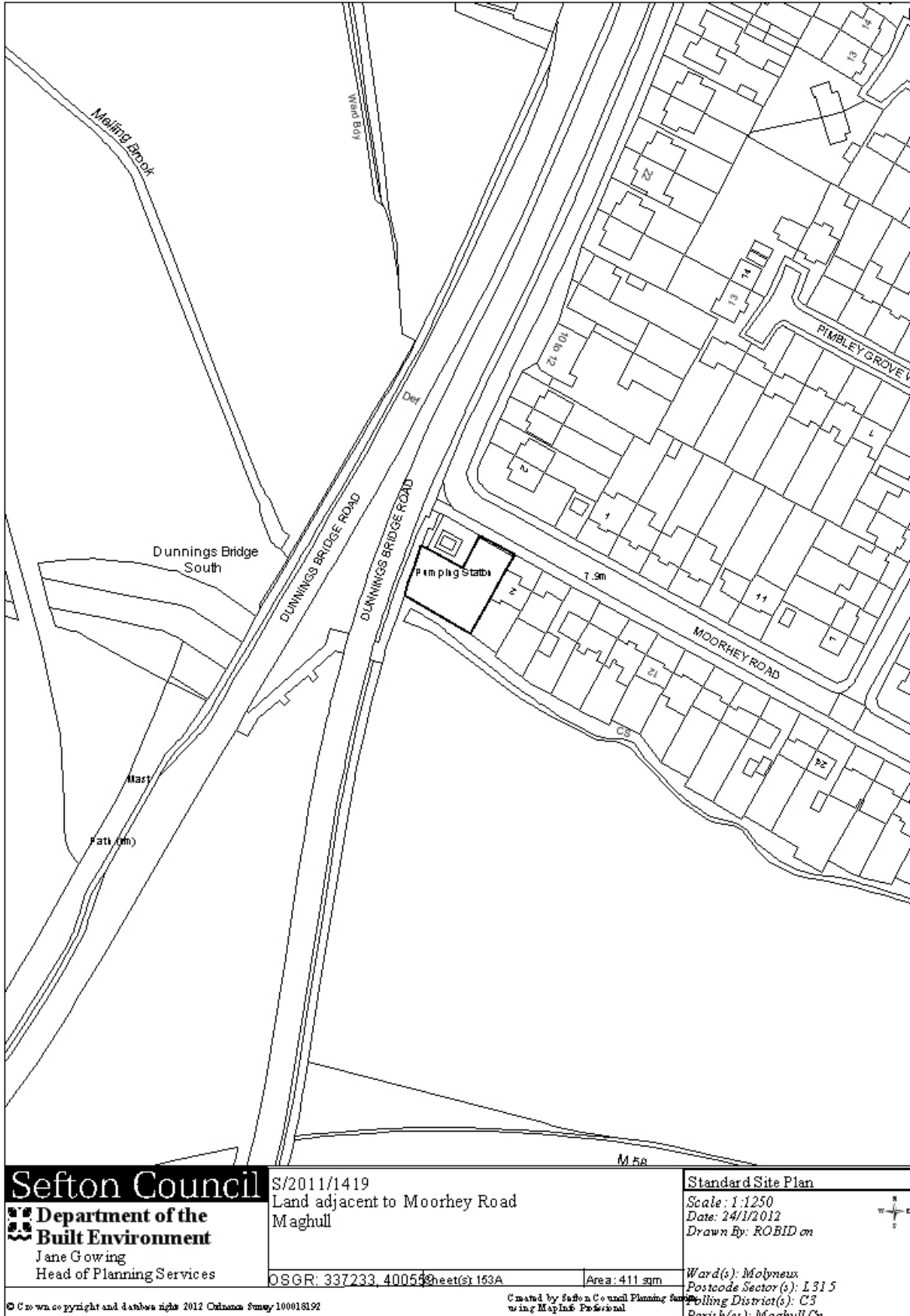
1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.
2. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or [development.control@sefton.gov.uk](mailto:development.control@sefton.gov.uk) for further information.
3. The applicant is advised that the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of Melling Brook designated a 'main river'.

## Drawing Numbers

Location plan, MR001, MR002, MR003, MR004B



# Existing site plan



**Sefton Council**  
**Department of the Built Environment**  
 Jane Gowling  
 Head of Planning Services

S/2011/1419  
 Land adjacent to Moorhey Road  
 Maghull

Standard Site Plan  
 Scale: 1:1250  
 Date: 24/1/2012  
 Drawn By: ROBID on

OSGR: 337233, 400548 sheet(s) 153A

Area: 411 sqm

Ward(s): Moyness  
 Postcode Sector(s): L31 5  
 Polling District(s): C3  
 Parishes: Maghull Co

# Proposed site plan

