

Committee: **PLANNING**

Date of Meeting: **06 February 2010**

Title of Report: **S/2009/1167**  
**Bowling green to the rear and 1A Virginia Street, Southport**  
(Kew Ward)

Proposal: Layout of road involving the erection of 5 pairs of semi-detached two storey dwellinghouses and one detached bungalow (11 in total) with associated car parking and landscaping after demolition of existing premises and outbuildings at 1A Virginia Street

Applicant: GDD Ltd

### **Executive Summary**

The proposal is for the development of 11 no. residential dwellings on land to the rear of 1A Virginia Street on a site formerly in use as a bowling green. The issues relate to the design and layout of the dwellings, the effect of the proposals on highway safety and the need to assess the site's remaining recreational value in its own right.

**Recommendation(s)                      Approval**

### **Justification**

Whilst not strictly complying with all aspects of the Sefton UDP, the considerations in respect of achieving a well planned and well considered layout added to the length of time the bowling green is known to have been out of use, and the strengthening of tree planting to the rear of properties is such that the granting of planning permission is justified on this occasion.

### **Conditions**

1. T-1 Full Planning Permission Time Limit
2. M-2 Materials (sample)
3. Landscaping (scheme)
4. L-4 Landscape Implementation
5. L-5 Landscape Management Plan
6. H-1 Remove existing vehicular/pedestrian access
7. H-2 New vehicular/pedestrian access
8. H-5 Off-site Highway Improvements
9. H-6 Vehicle parking and manoeuvring
10. R-2 PD removal garages/ extensions/outbuildings
11. M-6 Piling

12. Con-1 Site Characterisation
13. Con- 2 Submission of Remediation Strategy
14. Con-3 Implementation of Approved Remediation Strategy
15. Con-4 Verification Report
16. Con-5 Reporting of Unexpected Contamination
17. S-106 Standard S106
18. X1 Compliance
19. S-1 Site Waste Management Plan

## **Reasons**

1. RT-1
2. RM-2
3. RL-3
4. RL-4
5. RL-5
6. RH-1
7. RH-2
8. RH-5
9. RH-6
10. RR-2
11. RM-6
12. RCON-1
13. RCON-2
14. RCON-3
15. RCON-4
16. RCON-5
17. RS-106
18. RX1
19. RS-1

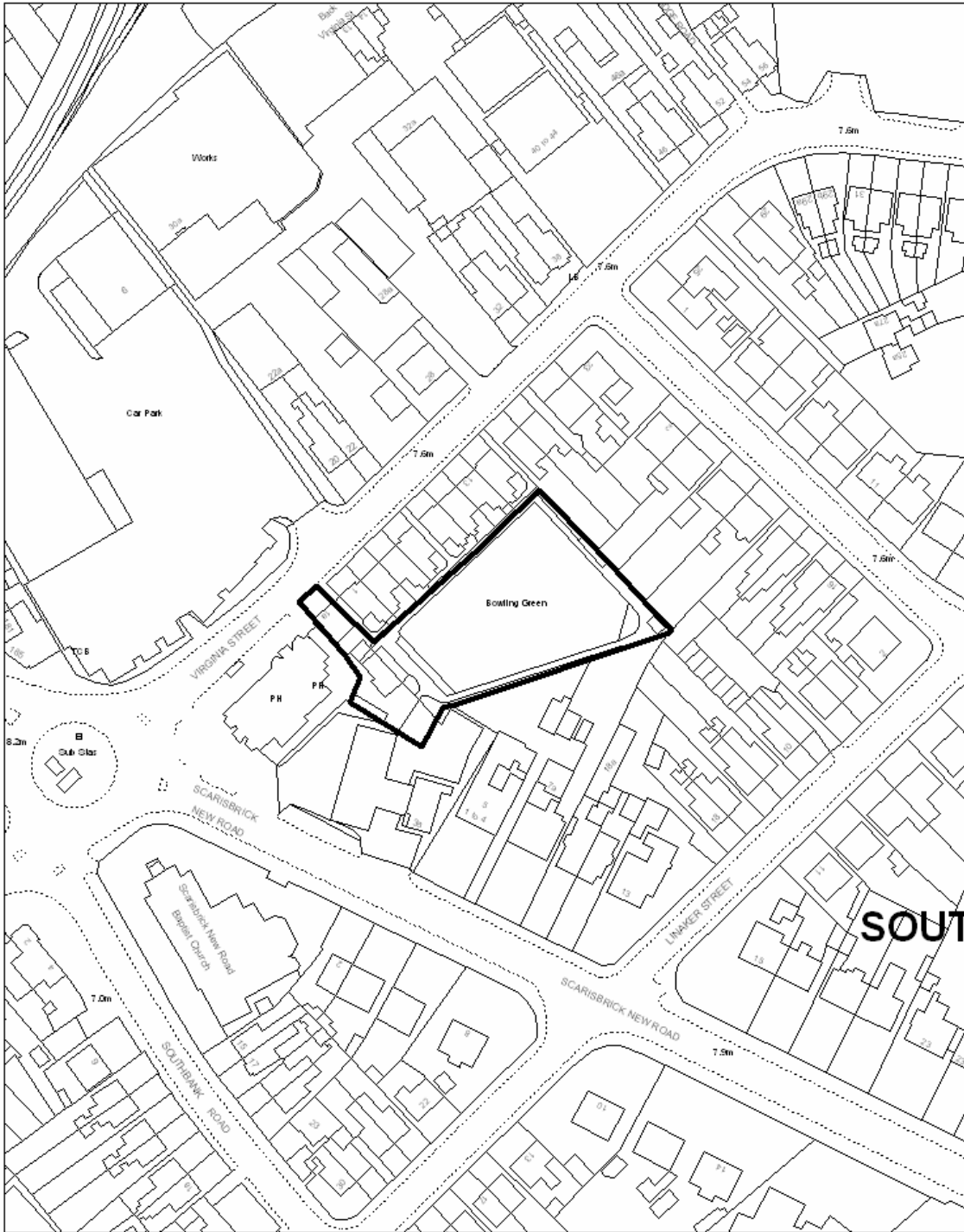
## **Drawing Numbers**

## 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/2009/1167  
 Bowling green to the rear of  
 1A Virginia Street  
 Southport  
 OSGR: 334044, 416655    Sheets: 470A, 469C    Area: 2490 sqm

**Standard Site Plan**  
 Scale: 1:2250  
 Date: 26/1/2010  
 Drawn By: EBERTON  
 Ward(s): Kew  
 Postcode Sector(s): PR8 6  
 Polling District(s): D4 T5  
 Parish(es): None Found

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## **The Site**

The application site comprises a now disused bowling green on land to the rear of residential properties on Virginia Street, Arbor Street and Scarisbrick New Road. The land is currently within the domain of the Shakespeare pub which addresses the existing main roundabout.

## **Proposal**

Layout of road involving the erection of 5 pairs of semi-detached two storey dwellinghouses and one detached bungalow (11 in total) with associated car parking and landscaping after demolition of existing premises and outbuildings at 1A Virginia Street

## **History**

N/1995/0417 - Erection of 6 floodlighting columns - approved 10 August 1995.

N/2007/0276 - Erection of a smoking shelter to the rear of the premises and construction of a perspex screen to the existing boundary wall - approved 18 May 2007.

## **Consultations**

Highways Development Control – comments awaited.

Environmental Protection Director – no objection subject to condition requiring piled foundations.

## **Neighbour Representations**

Last date for replies: 7 January 2010

A petition to address the Planning Committee has been received containing 31 signatures and is sponsored by Councillor Frederick Weavers.

Objections received from 6, 8 Arbor Street, 12 Linaker Street, 1, 3, 15 Virginia Street, on the following grounds:

- concerns regarding maintenance and adoption,
- busy road and bus route/increased traffic,
- noise from construction,
- loss of privacy and overlooking,

- no peace and quiet once houses built,
- query over profitability of proposals,
- loss of greenspace area,
- issues over wildlife habitat,
- no innovation in design approach,
- amenity issues for prospective occupiers due to pub and filling station

## Policy

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

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ4	Public Greenspace and Development
EP3	Development of Contaminated Land
EP6	Noise and Vibration
EMW1	Prudent Use Of Resources
G5	Protection of Recreational Open Space
H12	Residential Density
H3	Housing Land Supply

## Comments

The issues relating to this development concern the following:

- (i) The design, external appearance and layout of the dwellings, both in themselves and relative to other neighbouring built form;

A Design and Access Statement has been prepared with the application, which identifies a mix of semi detached and terraced residential buildings in the area, chiefly two storey, but also with a variety of other buildings including a supermarket, church and petrol station. This character is expected to inform the size, scale and layout of development proposed.

The layout provides a form of development in three distinct sections; a pair of semi-detached dwellings fronting the access newly created following the demolition of 1A Virginia Street, a row of three dwellings (a bungalow and two semi-detached dwellings with south/west facing gardens) and six dwellings in semi-detached form opposite at the end of the site nearest property on Arbor Street.

It was originally noted that the first floor of Plots 10 and 11 falls within 9 metres of the rear of dwellings on Arbor Street. Following discussion, the applicant has amended the plans such that an additional metre is achieved, and though 10.5 metres is usually required, the rear gardens to these residential dwellings are in the region of 28 metres long, and the balance is considered to be favourable in that the window to

window separation resulting would be 37 metres, far in excess of the minimum 21 required, and the shortfall of 0.5 metres is considered acceptable in these circumstances.

The side elevations to the rear of properties on Virginia Street exceed the 12 metres required. The applicant is aware that plot 6 is likely to be overlooked somewhat by a window in the rear of no. 15, however, this window is noted to be secondary and there will remain an acceptable living environment for the prospective occupier given they have one of the larger gardens provided by the scheme

The garden sizes vary in that two (one of which is plot 6) have substantial gardens of over 150 sq metres, the remainder between 61-70 sq metres. Though some fall slightly short of the 70 sq metres required by policy, all areas are useable and the character of the development is such that in layout terms the best layout involves all properties having street frontages. The density of the scheme is 42.3 per hectare, which represents an efficient use of land consistent with UDP Policy and in accordance with guidance contained within PPS3.

It is considered that the layout of the buildings affords a level of development that can be acceptably accommodated on the site with a height and scale and reflecting the identified pattern of development prevailing in the locality, whilst making efficient use of urban land.

The dwellings are of symmetrical appearance taking their influence in part from the Shakespeare pub, itself a 3 storey building with stone, bay and quoin features, albeit of much smaller scale. The roof pitches are relatively shallow and though two storey

The dwellings would be placed on the open market and there is no affordable housing requirement for the scheme as it comprises less than 15 dwellings. It would not be possible to sustain a refusal based on the potential for noise disturbance as it would be residential development within a residential location. A planning condition is attached requiring that all rear gardens have combined walls/fencing of a minimum 1.8 metres in height.

(ii) The suitability of access, internal circulation and the effect on the prevailing highway network;

One space per dwelling is provided for vehicle parking. It is considered that this level of parking is acceptable in this location close to the town centre. There are excellent links to public transport and the scheme ought not to give rise to substantial car dependence.

Access as stated above is provided via the demolition of the existing property, and can be provided without loss of amenity in the absence of windows to the respective side elevations of the pub and no. 1. There are

The scheme will make provision for some significant improvements to the highway. This will consist of:-

- The reconstruction of the footway on the south-east side of Virginia Street adjacent to the development site, incorporating flush kerbs and tactile paving either side of the proposed vehicular access;
- The provision of flush kerbs and tactile paving either side of the junction with Arbour Street on the south-east side of Virginia Street;
- The provision of flush kerbs and tactile paving either side of the existing vehicular access to the adjacent public house on the south-east side of Virginia Street; and,
- The improvement of the pedestrian refuge on the Virginia Street arm of the roundabout, including provision of flush kerbs and tactile paving on the footway either side.

Though close to a busy junction, the prevailing highway network is more than capable of accommodating the additional traffic proposed and there are no objections in relation to parking or highway safety. Similarly, there is turning within the site for larger vehicles such as a fire engine/refuse vehicle and these would be capable of entering and exiting the site in forward gear.

(iii) The need to provide tree planting and public greenspace as required by policy

30 trees would be provided within the landscaping layout. The accommodation on site has been increased chiefly to address concerns from residents at Arbor Street, and there will be some significant tree planting to the rear of plots 6 to 11, to afford visual breakage and increased levels of visual amenity. The amount at 2009/10 rates is £448 per tree not planted. This would also need to be adjusted with 2 additional trees required for each one to be removed. This amount cannot be specifically established until the final landscaping layout for the site is known.

The required greenspace contribution under Policy DQ4 is £18,524 at 2009/2010 rates. The same Section 106 Agreement would cover this. The applicants have confirmed agreement to payment in respect of both trees and greenspace. It is fully expected that this sum would make a meaningful contribution towards improved greenspace facilities specifically within the locality.

(iv) The bowling green

The applicant was invited to undertake a review of recent use of the bowling green prior to submitting the planning application. The land is presently overgrown, subject to limited public access, and is not allocated for either greenspace or with a nature conservation designation within the current UDP framework. Nevertheless, it is considered important to analyse its potential value as useable area in the locality and Policy G5 makes reference.

The applicant has contacted and spoken direct with Mr. L Davies, the President of the 'Southport LV Bowling League'. Mr. Davies has confirmed that the 'WD Sutton's' Pub (Previous Name of Shakespeare Pub) Bowling Team have not entered a team into the league for at least 6 years to his knowledge. He noted that the closure of the bowling club/team was due to the lack of financial commitment from the brewery. It should be noted however, that the bowling club members have since joined other teams in the league and the majority of these are understood to



have strengthened the 'Crowlands Bowling Club'.

The previous owner of the pub has been contacted by the applicant with a view to obtaining a statement to the effect that, during his ownership, from 3 years ago, and therefore since, no bowling activity has taken place, this would support the information received from Mr. Davies.

Aerial photography records have been examined dating back to 2004 which suggest that the green was out of use at that time, and tend to corroborate the comments of Mr. Davies.

In the event that the bowling green remained in continual use, it would all the same be regarded as land ancillary to the public house, and planning permission would not be needed to revert the land to, for example, a beer garden, or a childrens' play area in connection with the public house. Though the land is not in use at present, an alternative owner could carry out such activity bringing potential for detriment to the amenity of residents adjacent lying outside of planning control.

With regard to accessibility, the bowling green when in use would not have afforded a level of public accessibility consistent with that of conventional such space, as it would be necessary to walk through the pub to use the space, and the potential future use of the land for greenspace purposes would be questionable given the difficulty of access. There is no established evidence base to suggest complaint over a lack of crown green bowling facilities.

Given this evidence, it is considered that Policy G5 is not applicable in this instance. The value of the site has been examined as fairly and thoroughly as may be expected of a non-designated greenspace, and that the balance lies with providing a form of residential development which in itself accords with the thrust of UDP Policy, subject to the provision of a commuted sum payment in line with Policy DQ4.

(v) Contamination

The site is very likely to require a degree of remediation in view of its proximity to the petrol filling station fronting Scarisbrick New Road. A full suite of conditions are applied to address this issue.

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

Case Officer:                       **Steve Faulkner     Telephone 0151 934 3081**

SECTION COUNCIL  
- 8 JAN 2010

SF

### Petition to [Action Petitioned For]

**Petition summary and background - NEMATIC**  
An Application has been put in by G.D.D. Limited to start construction of 11 houses in total which will compromise of 5 pairs of semi-detached two storey houses and one detached bungalow. This could potentially cause a great deal of disruption to local traffic on Virginia street, plus it would increase noise pollution in the area of the houses surrounding the construction. This will also infringe of the privacy of those dwelling in the houses surrounding the bowling green.

Thus we seek to take action to prevent these proposals from being given planning permission.

We, the undersigned, are concerned citizens who urge our leaders to act now to reject the planning permission for construction of houses on the bowling green, adjacent to the Former Shakespeare Public house.

Printed Name	Signature	Address	Comment	Date
IGAN MOUNT	<i>[Signature]</i>	14 LIMAKKE ST		11/1/10
JANE KEALS	<i>[Signature]</i>	12 LIMAKKE ST		11
RAM JONES	<i>[Signature]</i>	6 LINDSEY SE		11
HILPPON HAY	<i>[Signature]</i>	17 ARBOUR ST		11
JANE SILVER	<i>[Signature]</i>	6 ARBOUR ST		11
M THOMPSON	<i>[Signature]</i>	14 ARBOUR ST		11
A. YATES	<i>[Signature]</i>	2A ARBOUR ST		11
S. HEWARD	<i>[Signature]</i>	9 VIRGINIA ST.		11
ALYBERRY	<i>[Signature]</i>	15 VIRGINIA ST		11
S. JONES	<i>[Signature]</i>	15 VIRGINIA ST		11



SEFTON COUNCIL  
27 JAN 2010  
REGENERATION BSU

15 Virginia St  
Southport  
PR66RZ  
25<sup>th</sup> Jan 10

Your Ref

S/2009/1167

Dear Mr Steve Faulkner

I enclose more names (19 in total) to add to the 11 already sent & also sponsorship of Councillor Weaver which you told me was also needed to make the petition into a petition. Councillor Weaver has told me that it gives me the chance to speak at the planning committee which I am happy to do.

My phone numbers are 01704 546561

07875679393

Would be grateful if you would contact me thank you

yours  
A Lydians  
(MRS)

MRS

Printed Name	Signature	Address	Comment	Date
D. JAMES		44 WARDEN CREST SOUTHPORT		22/1/10
M GOLLIF		40 Staplehan Rd Farnham		22/1/10
P Taylor		134 SASSER Rd		22/1/10
S Toth		15 Boathy Rd		22/1/10
S APPLETON		149 CENTRAL AVE		22.1.10
NO CHADWICK		138 GLOUCESTER RD		22/1/10
M GROSBY		9 BEECHFIELD MANS		22.1.10
M.E. WARKER		FLAT 7 LINIS HOUSE 87-89 KENYON ROAD SOUTHPORT		22-1-10
M. DePaul		19a Gloucester Road PR. 2 2U		23.1.10
B. STAFFORD		69 GLENASCAS DRIVE PR. 3U.		-
M. STAFFORD		- - - - -		-
B. WILKINSON		78 Kennington Road		25/1/10
M. HOBSON		7, Sandhill Quay		25/1/10
D HOBSON		" " "		25/1/10
V. HUTTON		9 SCARBOROUGH RD		25.1.10
S. DARTON		" " "		"


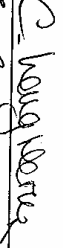

27 JAN 2010

SEFTON COUNCIL

REGENERATION BSU

## Petition to [Action Petitioned For]

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Printed Name	Signature	Address	Comment	Date
L AUSTIN		91 SCARBOROUGH ROAD		25/1/10
C. LANGSTON		18 UNAKER ST		25/1/10
A. N. LEWIS		15 VIRGINIA STREET		25/1/10

SEFTON COUNCIL
27 JAN 2010
REGENERATION BSU