

Committee: **PLANNING**

Date of Meeting: **09 March 2011**

Title of Report: **S/2010/1671**
S/2010/1672
Birkdale School For Hearing Impaired
Children 40 Lancaster Road, Birkdale
(Dukes Ward)

Proposal: S/2010/1671 - Conversion of former school building to form 27 self-contained apartments including internal and external restoration and alteration, erection of 16 detached two storey dwellings, new and revised access from Lancaster Road, parking, landscaping and public open space

S/2010/1672 – Listed building consent for the conversion, restoration and alteration of the former school building to create 27 apartments and demolition of the modern extensions.

Applicant: Centremodel Projects Limited

Executive Summary

The proposal is for the rebuilding and conversion of a fire damaged listed building to 27 apartments, the construction of 16 detached dwellings, and the formalising of open space to the Lancaster Road frontage. Listed building consent is also sought in respect of the rebuild and conversion.

The principle of rebuilding and converting the listed building is fully supported but the report comments in detail on a failure to comply with a range of policies contained within the Sefton UDP. For these reasons it is recommended that discussion continues with a view to granting listed building consent but that planning permission be refused outright.

Recommendation(s)

- 1. That planning application S/2010/1671 be refused for the reasons below:**
- 2. That the Director be authorised to grant the listed building consent S/2010/1672 with any necessary conditions following further discussion.**

Reasons for refusing S/2010/1671

1. The proposal would result in an unacceptable and unjustified loss of greenspace for which no appropriate compensatory provision is offered. The scheme also fails to make appropriate provisions for public access to the greenspace remaining and reduces the potential for the use of the land for organised sports. The scheme is therefore contrary to Policies G1(e), G2 and G5 of the Sefton UDP.
2. The proposed layout of new build residential dwellings both on the Lancaster Road frontage and to the rear of existing dwellings on Granville Road would result in development of a form inconsistent with the prevailing grain of development within the West Birkdale Conservation Area, by virtue of the orientation of dwellings and the creation of primary vehicular accesses to the rear of both existing and proposed dwellings. The scheme therefore fails to make a positive contribution to the character and appearance of the area and also fails to preserve the established character of the Conservation Area in a form contrary to Policies HC1 and DQ1 of the Sefton UDP.
3. The proposal would result in a series of harmful amenity impacts on existing and proposed dwellings as follows:
 - a. Vehicular accesses and associated movements adjacent to the rear fences of existing properties on Granville Road, and the rear of proposed dwellings causing unacceptable levels of noise and disturbance, and the introduction of useable space with minimal opportunity for overlooking and overall surveillance,
 - b. The proposed plot 16 of a depth and height that causes a loss of outlook and amenity to the rear garden area of no. 21 Granville Road,
 - c. The introduction of main habitable room windows in the side elevation of no. 21 Granville Road resulting in overlooking to that dwelling, and
 - d. The orientation of new dwellings adjacent to Lancaster Road giving rise to an unacceptable relationship to the proposed car parking area for the converted apartments by virtue of the lack of surveillance and the movement of vehicles.

The proposals therefore conflict with Policy CS3 and DQ1 of the Sefton UDP which confirm that development will not be permitted where it causes significant harm to amenity, whilst failing to promote safety and security of those within a site and outside it.

Drawing Numbers

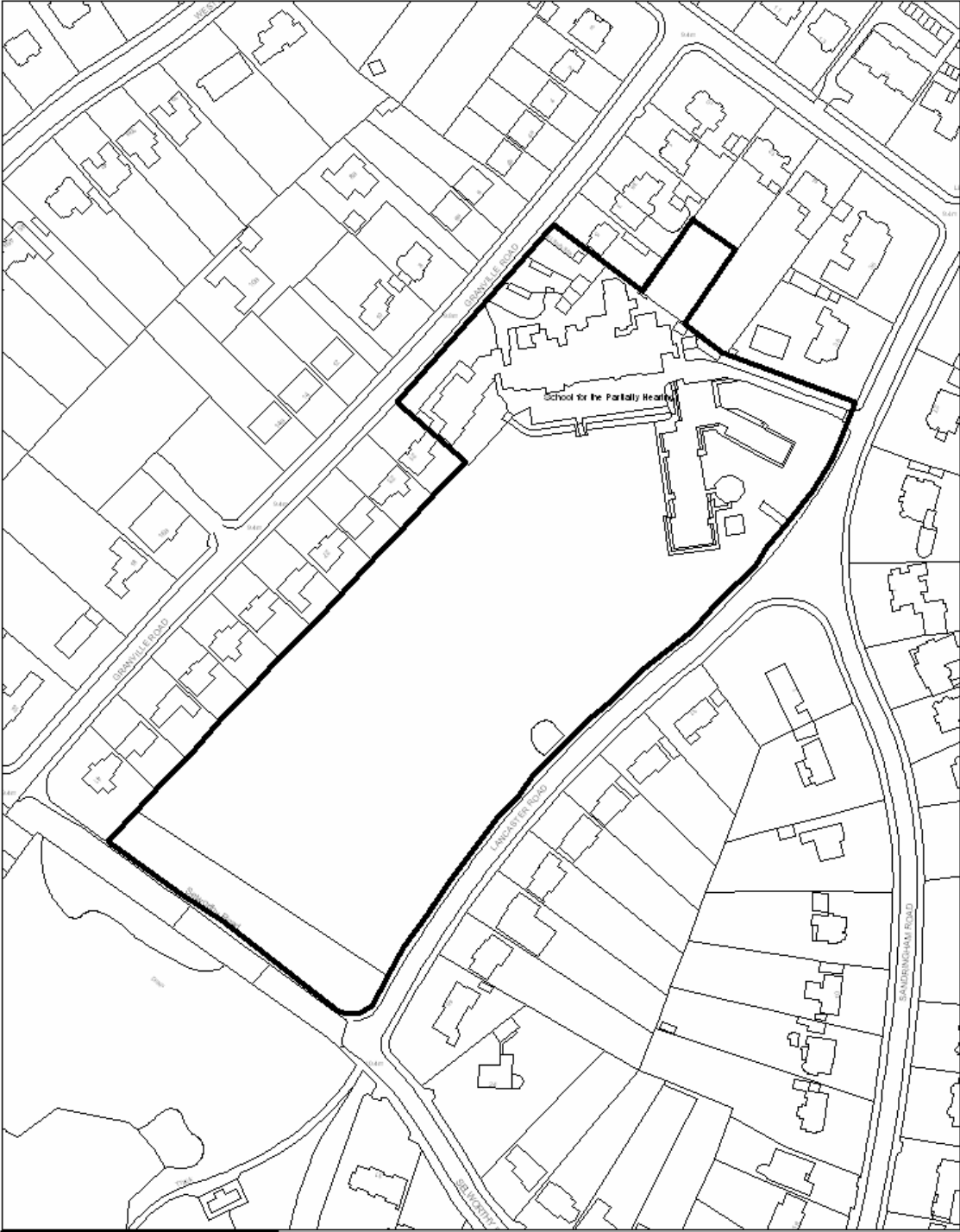
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Financial Implications

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/2010/1671 & S/2010/1672 Birkdale School For Hearing Impaired Children, 40 Lancaster Road Birkdale PR8 2JY OSGR: 331885, 415460		Standard Site Plan Scale: 1:2000 Date: 23/1/2011 Drawn By: EBERT on	
	<small>Electors: 448A, 448B, 447C, 447D</small>	<small>Area: 39475 sqm</small>	Ward(s): Dukes Postcode Sector(s): PR8 2 Polling District(s): W6 Parish(es): None Found	

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The Site

The site comprises the former Birkdale School for Hearing Impaired Children. The school closed in 2003 and is occupied by a Grade II listed building on the north east side and a later separate building constructed in the 1970s. Part of the former school fields fronting Granville Road was developed with 11 dwellings in 2000.

The listed building suffered extensive fire damage in May 2010. The remainder of the site largely comprises unkempt green area and varied groupings of trees.

Proposal

S/2010/1671 - Conversion of former school building to form 27 self-contained apartments including internal and external restoration and alteration, erection of 16 detached two storey dwellings, new and revised access from Lancaster Road, parking, landscaping and public open space

S/2010/1672 – Listed building consent for the conversion, restoration and alteration of the former school building to create 27 apartments and demolition of the modern extensions.

History

The relevant history is as follows:

N/1998/0408 – Layout of access road to Granville Road and erection of 23 detached houses to Granville Road, Selworthy Road and part of Lancaster Road frontages – withdrawn 19 November 1999.

N/1999/0796 – Erection of 11 two storey dwellinghouses with garages fronting Granville Road – approved 23 May 2000.

N/2001/0231 – Construction of a combined tennis/netball court, enclosed by 2.75 metre high perimeter fence on existing playing field adjacent to school – approved 18 May 2001.

Consultations

Highways Development Control - There are no objections to the proposal in principle as there are no highway safety implications.

On Granville Road it is proposed to widen the existing vehicular access. On Lancaster Road it is proposed to widen two existing vehicular accesses, close-off an existing vehicular access and create a new vehicular access. All widened and new points of vehicular access will need flush kerbs and tactile paving either side. These alterations to the access arrangements will involve significant works to the highways adjacent to the site.

In addition it will be necessary to remove the redundant 'School Keep Clear' zig-zag carriageway markings and associated redundant sign posts on Lancaster Road and Granville Road, together with the reinstatement of the footway.

Levels of car and cycle parking proposed are acceptable, as is the layout of the spaces.

Environmental Protection Director – no objection subject to piling conditions.

MEAS – Acceptable ecology reports have been submitted in accordance with UDP policy NC2. However, the ecological walkover was conducted in late January, which is not an appropriate time of year for identifying certain habitat types and species.

In particular, pipistrelles bats were found utilising the site and as these are highly mobile species and can change roost sites regularly, update surveys are required.

I advise that the Council does not need to undertake an assessment of the proposals against the three tests set out in the Habitats Regulations 2010. However, if work does not commence onsite by February 2012, update surveys will be required. This can be secured by a suitably worded planning condition.

If work does not commence onsite by February 2012, appropriate habitat update surveys will be required. This can be secured by a suitably worded planning condition.

To protect breeding birds, a condition requiring no felling between the period 1 March to 31 August inclusive to protect breeding birds.

Conditions should be attached requiring a study of Japanese Knotweed.

Biodiversity improvements are also suggested.

Reference is made to the need for Flood Risk Assessment, on which the Environment Agency comment.

Sustainable Drainage (SuDS) should be provided.

The applicant should comply as far as possible with Code 3 Sustainable Homes. Reference is made to renewable energy requirements and the legal requirement for a Site Waste Management Plan on which they would be able to advise.

Police Architectural Liaison Officer - I note from the Design and Access statement (DAS) submitted that there is no mention of the crime prevention measures to be incorporated into the scheme, other than a brief reference to Safer Places – The Planning System and Crime Prevention. PPS1 makes clear that a key objective for new developments should be that they create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion. Design and access statements for outline and detailed

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applications should demonstrate how crime prevention measures have been considered in the design of the proposal and how the design reflects the attributes of safe, sustainable places set out in Safer Places.

That said, we have discussed the proposal and I have briefly outlined my initial concerns which relate to the rear access road to the detached dwellings, isolated car parking for the apartments and access control to the overall site including the open space, amongst other things.

There may be no desire on the part of the applicant to build to the principles of Secured by Design, a proven crime reduction initiative, however, due to the probable high value of the dwellings and apartments and all that goes with them, I believe my input would be invaluable, and I can also provide a Designing Out Crime Advice document.

Environment Agency - We have reviewed the submitted Flood Risk Assessment (FRA) (Betts Associates, Version 1.0, April 2010) and consider it sufficient in assessing the flood risks of the site. We would however recommend a drainage condition.

We have reviewed the Preliminary Risk Assessment, Reference sa/pks/4093/PRA, Sedgwick Associates, September 2010.

We consider that planning permission should only be granted to the proposed development as submitted if a planning condition is imposed to secure remediation of the land.

United Utilities – no objection subject to drainage on a separate system.

Natural England – The proposals have no significant impacts on identified 'Protected Areas'. No material or significant effect on Sites of Special Scientific Interest (SSSIs). Comment is also made on protection of species, habitats and biodiversity.

English Heritage – “English Heritage is supportive of the principle of repairing the former school and returning it to a viable new use. We generally welcome the approach taken by the applicant but suggest that aspects of the scheme...and any related amendments need to be addressed before we can add our support to it.

The design of the proposed new development has clearly been driven by an aspiration to blend it into the Conservation Area but, again, we suggest that some further work is necessary at quite a fundamental level to achieve a plan that English Heritage can support.”

They also comment on detailed matters relating to the listed building restoration and detail of the new development. Reference is made to 'enabling development' which is expressed within the main report. Particular comment is made on the plot layout of new dwellings. English Heritage comment:

“Such formal, high specification houses should ‘command’ the public realm rather than being informally distributed within it. This creates an uncomfortable tension in the relationship between the architecture and urban design proposed within this Conservation Area.”

They go on to express that they are not supportive of the approach to the layout promoting rear driveways dividing the back gardens of the proposed dwellings from the existing on Granville Road.

Sport England – object– a detailed letter has been received which is fully reported in the Greenspace section of this report.

Neighbour Representations

Last date for replies: 24 December 2010.

Representations received from 3b, 21, 25, 27, 29, 31, 35 Granville Road, 12 Grosvenor Road, 38, 43 Lancaster Road, 4 Regent Road, 12, 21, 31, 53 Selworthy Road, 7 Regents Way, Bamber Bridge, 40 The Rowans, Poulton-le-Fylde, Flat 4 16 Westcliffe Road,

Comments in support of the proposals:

The restoration of the listed building is fully supported,
The site has become an eyesore and magnet for criminal activity, gathering of youths,
Managed control of open space is welcomed and will improve on existing,

Comments objecting to the proposals:

Scheme contrary to established planning policies,
Loss of light and privacy to adjoining property (no. 21),
Loss of privacy to residents on Granville Road and increased noise and disturbance, issues of delivery vehicles
Loss of open space and open aspect, detrimental effect on designated greenspace,
Elevations are of bland, inappropriate design,
Listed building should not be demolished,
Would be better to be reopened for educational purpose,
Increase in traffic,
Disturbance from construction traffic,
Too much car parking,
Development of former school should come first,
Long standing educational function of building has now gone,
Suggestions on leisure use eg bowling green, ignored by applicant,
Unclear how greenspace would work functionally,
Vandalism is a result of neglect and not a basis for promoting development,
Fire has increased return required to enable development,

No guarantee that dwellings will sell if built,
 Land within a Conservation Area should not be developed,
 Covenants on parts of land are prohibitive of development (*members are advised that this is a legal matter to resolve and has no bearing on any the planning decision or recommendation*),
 Existing covenant should be enforced (*this is commented on in the main report under heading Section 106*)
 Site prone to flooding,
 Potential for renewable techniques in dwelling construction,
 Other more suitable development sites nearby,
 Greenspace would become domesticated, ie extensions, conservatories, washing lines, garden sheds on view from elevated Lancaster Road,
 Incorrect reference to SHLAA report, applicant incorrect to claim 87 appropriate, reference in report to development on existing footprint only
 Need for improved maintenance and new boundary walls to be constructed where necessary.

Many comment that they do support the conversion of the school but cannot support the further development of the greenspace and there is comment that development is supported on other already previously developed parts of the open space.

Policy

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

AD2	Ensuring Choice of Travel
CS2	Restraint on development and protection of environmental assets
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ4	Public Greenspace and Development
G1	Protection of Urban Greenspace
G2	Improving Public Access to Urban Greenspace
G5	Protection of Recreational Open Space
H12	Residential Density
H2	Requirement for Affordable, Special Needs and Housing
HC1	Development in Conservation Areas
HC3	Development or Change of Use Affecting a Listed Building
HC4	Development Affecting the Setting of a Listed Building
NC2	Protection of Species

Comments

The report comments on both the planning application and the proposal for listed building consent pursuant to the 'Terra Nova' building which was subject to extensive fire damage in May 2010.

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The Director entirely supports the principle of converting and rebuilding the listed building in full. There is a mind to grant listed building consent for the works subject to resolution of detail and in principle, any planning application solely connected to the rebuilding of the damaged building would also in its own right be regarded as acceptable.

Additionally, whilst some limited forms of development, most notably, in and around the area of the existing two storey detached building on the eastern corner of the site, would be acceptable in principle, the scheme proposed however goes further, as described.

The applicant's case for the proposed more comprehensive development centres mainly on the following points:

- there is a fire damaged listed building on the site,
- there is a need to rebuild and convert the listed building,
- to secure these aspirations, it is necessary to build new residential development on the existing greenspace,
- the greenspace policy is one required to be balanced against a range of other policies and other material planning considerations,
- the need for the benefits connected to the listed building eliminates the potential for affordable housing or other commuted sum obligations on Section 106 to be delivered,
- there is a housing land supply issue within Sefton,
- the scheme when weighed against planning policies is overall compliant and therefore there is no requirement to regard the scheme as 'Enabling Development' within the terms of PPS5 (Planning for the Historic Environment), and;
- the development proposed is the minimum required having regard to securing long term management of the greenspace that remains.

The applicant is of the view that development of the greenspace is compliant with policy and that the application to convert the listed building should also be considered as a stand alone proposal on its own individual merits.

The applicant has been invited to conclude that the development of the Greenspace fails to comply with planning policy. This would allow for an 'Enabling Development' test to be undertaken, which would involve establishing a value for the historic asset in its current condition as well as a predicted value once restored. This would give rise to a 'conservation deficit', which would inform the level of new development allowed.

Members are advised that any such test would be made on the assumption that appropriate insurance is in place to cover the cost of rightful repair to the building following fire damage; in my view, to conclude otherwise would potentially reward deliberate and wilful neglect of conservation assets and give rise to a bigger deficit.

Instead, the applicant has asked for the scheme to be determined on its overall merits, weighing the respective policy balances. It is essential that this development is not looked on as a ready made solution to ongoing heritage concerns; the scheme is not argued by the applicant with that in mind and no proposals for investment in the listed building are offered; nor is any phasing of works.

This has required a rigorous assessment which draws clear conclusions that the scheme fails to comply with policy. These are outlined in full detail below.

Principle of Development on Urban Greenspace

The principle of development on this occasion is informed not by the manner in which a range of policies are met, rather, whether or not the scheme is capable of complying with the key principle of being acceptable in land use terms. Should a scheme be unacceptable in principle, other policies and material considerations should undoubtedly carry weight, but the weight would attached must then be overriding.

The central issue is whether or not the proposal complies with the greenspace policies of the Sefton UDP, particularly policies G1(e) and G2.

Policy G1 – Protection of Urban Greenspace.

Policy G1 states that development will not be permitted on urban greenspace except in a few given circumstances, which are listed (a) – (e). None of (a) – (d) apply to this case but criterion (e) does.

Criterion (e) states that the special circumstances where development may be acceptable are ***where development on greenspaces with no public access results in the creation of new areas for public use as defined in Policy G2.***

At present, the site does not have a dedicated public access. A number of those making representation have commented that prior to the fire they used the site without being asked to leave, and without permission being first obtained.

Fundamentally, the site should not be available for public access and it would be within the applicant's right (subject to any necessary planning permission being obtained) to fully enclose the site to avoid the passive use of the land as described. There is an outstanding Section 106 Agreement which is still in force (discussed in detail later).

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The proposal put forward is to offer public access to the area of greenspace that remains, but only through a permissive agreement where, for example, people pay an annual fee for a key. In such cases, the wider public could clearly not expect free use of those facilities.

Sefton's Greenspace and Recreation Study of 2009 defines "publicly accessible" as "sites where members of the public have full and free public access on foot and sites where they have permitted access, on foot".

The scheme does not afford this and as such fails to meet criteria G1(e) by offers a selective level of use for those willing to participate.

Policy G2 – Improving Public Access to Urban Greenspace.

Policy G2 comprises three different criteria that need met for public access to be considered acceptable.

G2(1) Development may be permitted on greenspace where there is no public access provided that a substantial percentage of the greenspace is made available for public use.

The policy doesn't indicate what "a substantial percentage" actually means. . Nonetheless, it remains necessary to come back to G1(e) above; accessibility through potential key arrangement cannot be regarded as full public use.

G2(2) Development will only be permitted if it is demonstrated that the effects of the development on the benefits provided by the greenspace can be offset and that overall the development responds positively to the character and form of its surroundings.

This tests whether or not the "effects of the development on the benefits provided by the greenspace can be offset". This relates only to greenspace benefits and does not relate to other aspects of the development.

Arguments relating to restoration of a heritage asset as offsetting factors are not in any manner applicable to this policy criterion.

Interpretation of this policy in isolation confirms that the development will greatly reduce the openness of the site through a significant part being developed for housing with no obvious benefits to offset this.

G2(3) Development which is acceptable in principle will only be permitted where:

- a) The greenspace is publicly accessible and convenient*
- b) There is a local need for recreational open space; and /or*
- c) There is a local need for nature space*

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As stated earlier, it is not considered that the open space as presented will be publicly accessible due to the restrictions on use. The Recreation and Open Space Study (2009), and the accompanying accessibility maps demonstrates that there is no identified need for open space in the area.

The applicant's pre-consultation has suggested a need but this relates to the *desire* for additional public greenspace in the area. This must be considered different to need.

For the above reasons I do not consider that the proposal does comply with UDP policies G1 and G2. The application therefore does not comply with the policies in the development plan.

The applicant was asked to reconsider his position on these policies and responded as follows:

"I do not accept that what we are proposing is enabling development. The scheme as submitted quite logically looks at the whole of the school site and makes balanced proposals for how development can be used to resolve the issues of restoring and converting the school, the incipient dereliction of the old playing fields and the preservation of the character of the conservation area. I consider that the 2009 survey which identifies a surplus of greenspace over standards in the Southport area and no need for POS on the Southport fringes is a relevant consideration with regard to the weight to be afforded to the two policies that preserve the urban greenspace. And especially as we retain a large part of it and enhance its appearance and nature conservation value."

This approach is not consistent with the advice of English Heritage which was sent to the applicant following this comment. The scheme clearly fails to meet with Policies G1(e) and G2 and therefore, as English Heritage observe, the fundamental issue to be decided is whether or not the new development associated with the restoration of the school is contrary to local policy. If so, it requires testing against the requirements of PPS5 HE11. No such test is presented and therefore the Council has no basis on which to assess conservation deficit.

Section 106 Agreement

There is a Section 106 Agreement attached to the previous planning permission N/1999/0796. This was for the residential development of the part of what was then greenspace fronting Granville Road, which has since reverted to Primarily Residential Area. This is fully enforceable.

The requirements of the Section 106 were binding on the successors in title to the Deaf School, and required the following:

1. The grass cutting and white lining of cricket and football pitches comprised within the land, and

2. Tree planting along the Lancaster Road frontage.

Specific provisions were made within the Agreement that local sports clubs or local schools would have full and free use of the playing fields at weekends and during specifically defined school holidays.

These requirements still apply. As such, arguments that the land will degrade and become a public hazard over time are irrelevant. That no clubs are seemingly seeking to become involved is also irrelevant. It would seem feasible that the formal marking out of the spaces may well offer a hitherto unknown resource for local clubs.

In the context of the above, it is worth quoting the following point made by the applicant on the Council's greenspace stance.

"What I fail to understand about your position is that as there is no need for public open space and unless we get PP for something on the land it will be unsightly, derelict and a security hazard to local residents, so what is the benefit of preserving it as urban greenspace. Surely that designation is meant to enhance the character of an area rather than detract from it as the unused and unmanaged land surely will if PP is not forthcoming."

As the above paragraphs show, this misses two key points. Firstly, the key test does not lie with demonstrating that there is a need for public open space; the issue is with protecting what is there at present. If there is no need this does not justify a concession of greenspace in favour of new development.

Secondly, reference is made to the site being unsightly, derelict and a security hazard to local residents. This is however the applicant's responsibility.

There is existing provision for an area of land considerably larger than that presented by the applicant to be available on the basis of the Section 106 Agreement which appears if enforced to offer as much if not more more than the applicants latest proposal for a key based access to a much smaller area.

The legal agreement strengthens the argument considerably for maintaining the balance of greenspace as it currently stands and confirms the landowners requirement to do so in law.

Sport England

Sport England have objected as explained above. They were originally consulted on the 1999 application and offered positive feedback based largely around the remaining potential to secure improvements to the remaining greenspace facilitating local use.

Sport England are entirely aware of the previous circumstances. Sport England have identified five criteria that are relevant:

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- 1) The 2009 study identified shortfalls in pitch provision. There is no excess.
- 2) The residential development of the land is not ancillary to the existing use.
- 3) The development clearly affects land that could form a playing pitch or part of one. There is no odd shape or other physical feature to reduce the potential.
- 4) No replacement pitch/pitches are being offered.
- 5) The development is not in its own right for specific indoor/outdoor sports.

Sport England have also referred to UDP Policy G5 (Protection Of Recreational Open Space). This states that planning permission would be refused for any development leading to the loss of open space for recreational purposes or could meet a recreational need in the area.

It seems reasonable to suggest that the Section 106 Agreement which expressly requires marking an area out for playing pitches must offer potential for a playing pitch.

It is acknowledged that there is no fully up to date or accurate playing pitch study. However, no such assessment would actively promote the loss of potential facilities, even less so where there is a legal requirement for its marking out, in favour of residential development with no apparent policy support.

Conclusions on Greenspace Policy

- There is an unacceptable level of public access proposed by the scheme.
- A perceived absence of local need does not automatically afford on a point of principle the loss of existing (finite) greenspace resource.
- The development has no direct benefit in respect of the greenspace resource; infact it takes around 62% of it.
- The development results in the loss of land with the potential for use as a playing field.
- No acceptable level of compensatory provision is being made on the site or offered elsewhere.

The scheme therefore fails to comply for these reasons with Policies G1(e), G2 and G5 of the Sefton UDP.

It is therefore necessary for the applicant to accept these failures of policy principle in order to progress an enabling argument and the failure to do so therefore results in failure to meet with the requirements of the UDP.

Other matters

Affordable Housing

The Council's position regarding affordable housing is that any scheme proposing 15 or more dwellings, as advised by PPS3, should be subject to the requirement for affordable housing. Therefore, following in line with Sefton UDP Policy H2, and further adopted advice, a minimum of 30% of all bedspaces in such dwellings should be of affordable tenure on an 80/20 split of social rented/intermediate housing respectively, subject to economic viability.

The applicant has advised that should affordable housing (or any other Section 106 based commuted sum) be required in conjunction with the proposals, it would when set against other potential unforeseen conversion costs or overheads, give rise to a deterioration in profit margins to unacceptable levels, thereby affecting scheme viability.

A financial appraisal summary report has been submitted alongside the application. It was agreed with the applicant that this would only be reviewed by the Council's retained affordable housing economic viability consultants, Three Dragons, at the applicants' expense, at such time that all other matters of site planning were resolved.

However, it is clear that there is no forthcoming agreement on these other matters and therefore, whilst it is possible that the appraisal could be accurate in concluding that the scheme would not be viable with affordable housing being provided, it is a matter that remains unresolved.

It is therefore considered, in the circumstances, that there should be no reason for refusal on this ground, but that there is scope for the necessary work to be completed and the applicants' scheme costs and residual value appraised by Three Dragons, in the event that a planning appeal is subsequently progressed.

This is the more so bearing in mind that other compelling reasons for refusal are being presented.

Layout and design

The layout suffers in a number of respects. Houses are offset in respect of defined built frontage; the Conservation Area character is of larger, imposing dwellings fronting street scenes with readily definable individual frontages and accesses. The layout is inconsistent with this aspect of the character and appearance of the Conservation Area.

Whilst individual architectural designs are proposed, there is no strong street frontage and uniformity, and all accesses are to the rear of the dwellings, resulting in there being an access road dividing the dwellings from the rear boundaries to Granville Road.

There is no obvious reason why a new residential scheme (if acceptable in principle) couldn't achieve alignments and garden widths similar to those achieved on Granville Road but with active frontages onto the remaining greenspace – which could with this arrangement be considerably larger.

In conclusion, housing adjacent to Lancaster Road presents high boundaries onto the car parking for the apartments. This fails to afford appropriate surveillance over the parking area and whilst accepting that the listed building, if converted would achieve this in part, it remains the case that the parking and turning of vehicles close to residential boundaries would harm the amenity of residents. This part of the scheme is equally deficient in terms of plot layout and character to the areas described above.

I therefore consider the overall layout inappropriate and it fails to preserve the character and appearance of the Conservation Area.

There are some issues relating to the individual design of the dwellings. It is a matter of concern that the attempt to offer a more modern approach to Granville Road to distinguish from the listed building is too alien an approach. There are other issues with regard to individual plots which it is felt could be resolved, in terms of materials, and a confusion of architectural styles on some of the elevations.

It is felt that the car parking would benefit from reduction and or dispersal to front of the listed building so as not to disturb view and help alleviate landscaping issues. There are alternative more suitable access arrangements that could minimise levels of hard standing.

If members are minded to grant planning permission it is essential that any decision is delegated to the Director in order that a Section 106 Agreement can be negotiated to secure the timely restoration of the listed building. However, it should again be emphasised that this is not in any way the applicant's intended approach.

Amenity

The proposed layout arrangement is considered unneighbourly for residents of Granville Road. It promotes enclosed areas with little by way of obvious overlooking or surveillance, and this would be exacerbated by the opening and closing of car doors, reversing and revving of vehicle engines at times when peace and quiet could be reasonably expected, and the probable need for deliveries/refuse vehicles to visit at potentially unneighbourly hours.

The site boundary (barring the rear to no. 21) is currently defined by perfectly well established laurel hedging and there is no apparent reason for this to be removed as proposed by the applicant. There are no security fears raised by objectors and no evidence that the layout would offer further benefit.

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The proposed plot 16 adjacent to no. 21 Granville Road projects around 6 metres back from the principal rear elevation of the existing dwelling. It is noted that the site boundary is defined at present by a trellis fence in the order of 4 metres in height. However, though the main rear windows of no. 21 are positioned away from the boundary, there is a significant full gable two storey projection some 8 metres beyond the rear garage of the existing dwelling which would take early sunlight from the rear garden area and present an unneighbourly, oppressive impact.

Moreover, the dwelling is designed with a bedroom window at second floor level in the side elevation, and a central rear outrigger is proposed with a heavily windowed arrangement to the master bedroom. The latter could theoretically be obscured, but both openings are liable to reduce the amenity of the garden to no. 21.

It is considered that the scheme does not appropriately address the amenity of the existing occupiers of that dwelling, who have raised objection on this specific point in addition to those raised commonly by others.

The amenity issue could be resolved with a single dwelling in place of both plots 16 and 17 and revised window positionings to avoid habitable rooms in line of sight of the rear garden of no. 21.

Listed Building Conversion

As previously explained, there is full support for the reconstruction and conversion of the listed building. It is however necessary to resolve a number of points relating to the specifics of the conversion.

Most notably, PPS 5 informs on some clear standards required to be achieved in respect of listed building restoration, and those relevant to this proposal are as follows:

- All windows should be timber sliding sash timber, replicating the original windows rather than pvc,
- All rainwater goods should be cast iron, painted black,
- Decorative bargeboards on front elevation should be reinstated,
- Further justification is required for the courtyard demolition, they need to explain why this is necessary and does not bring harm to the building,
- Further confirmation and justification is required from the Conservation Management Plan, to convey that ceiling heights room proportions etc will be retained.

On the latest set of plans there appears to be a dummy window inserted where there should not be one on the front elevation.

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The plans also show what appears to be dry lining running across some windows, and it is expected that some of the timber boarded ceilings in the ground floor could be retained as a result of recent internal inspection.

Also mentioned in the Conservation Management Plan is the need for suspended ceilings; however, there are potential exemptions for historic buildings that may circumvent this requirement.

A range of conditions would be attached to any listed building consent as follows:

- Clock should be repaired and brought back into use, using the original mechanism in the clock tower
- The clock tower should be preserved in situ
- Details of how compliance with building regulations should be submitted, that may affect room proportions heights or any change to original features.
- All new Materials must be submitted for approval
- Windows and external door detail submitted at 1:5 showing sections through and finish
- All windows should be recessed a bricks width in order to accord with existing windows
- Covings, roses, picture rails, dado and skirting, should be kept and reinstated where lost
- A full photographic record of all outbuildings is to be recorded before demolition.
- Interpretation feature to be placed on the air raid shelters explaining their significance

Whilst the reconstruction still requires planning permission, there is no reason to believe that the granting of listed building consent will in itself cause delay to solving the issues relating to the listed building itself.

Trees

Overall the layout is positive in respect of the level and extent of tree retention. The layout is seen as beneficial for the southern most plots at the access point from Lancaster Road, in minimising impact on a considerable tree belt with much environmental, visual and ecological value. Similarly, there are no tree implications connected to other plots backing onto the Granville Road plots.

There is an identified discrepancy between the tree survey and proposal layout, in that the proposal 'moves' the tree line nearer the frontage boundary bordering Granville Road and so gives the impression that a greater amount of space exists than is actually available on site. Clearly this is not achievable as shown and it is

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important to recognise that the interface between the tree canopy and proposed dwelling is less than indicated – therefore a significantly increased impact from overshadowing and canopy encroachment will result, than is indicated.

This could readily be accommodated by the previously described reduction down to one plot in this position.

It is also considered that there is a group adjacent to the Granville Road access point of Sycamore, Ash and Wych Elm that extends into the site and is to be removed. Whilst reported as being of poor form and low landscape value, it is felt collectively that they provide a level of amenity and there is no particular good reason for their removal. At least the frontage element of group G6 could be retained to enhance the level of tree retention observed along the street scene. Other trees throughout could be retained and construction measures would ordinarily be secured by condition.

In conclusion, the proposals would benefit again from refinement to resolve some concerns regarding tree loss, however, there are no substantive reasons to issue a refusal on the grounds of associated impact; the matters of concern could readily be resolved through amendment.

Housing Land Supply

The applicant is of the view that Sefton does not have a 5 year supply of housing land. The Council's 2010 Annual Monitoring Report clearly sets out our 5 year supply position, which consists only of sites with extant planning permission and strategic brownfield and allocated sites. Appropriate discounting measures have been applied to this supply to ensure that it is both robust and deliverable. This is considered to represent a defensible position in the event of subsequent argument relating to Housing Land Supply.

For the reasons above, having regard to national and local policy, and all other material considerations, it is recommended that planning permission be refused but that delegated authority is given to conclude matters relating to the application for listed building consent.

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