

Town and Country Planning Act 1990

Approval Notice

Approval has been granted for the development referred to below providing it is carried out in accordance with the application and plans submitted. The approval is subject to the conditions set out on the attached sheet.

Application Details

Reference No:	DC/2021/02953
Location of Development:	35 Phillips Lane Formby Liverpool
Description of Development:	Erection of a 2 storey dwelling, a bungalow and a single storey extension and glazed link to the existing dwelling at 48 Duke Street following the demolition of the existing garage premises at 35 Phillips Lane
Date Notice Issued:	10th November 2022
Signed:	<i>Derek McKenzie</i> Chief Planning Officer

Notice Issued to:

Agent

RAL Architects Limited
Mr Robert Anderson
Studio 23
Princes Street
SOUTHPORT
PR8 1EG
United Kingdom

Applicant

W H Bennett Limited
Mr D McCaughrean
c/o Advance Accountancy Ltd
71 / 73 Hoghton Street
Southport
PR9 0PR

Conditions

Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2) The development hereby granted shall be carried out strictly in accordance with the following details and plans :-

- Dwg. L01 Rev A, Location Plan
- Dwg. L03 Rev A, Proposed Site Plan
- Dwg. G01, Proposed Floor Plans New Dwelling
- Dwg. G02, Proposed Elevations New Dwelling
- Dwg. G04, Existing and Proposed Floor Plans N48
- Dwg. G05, Proposed Elevations N48
- Dwg. G06, Proposed Floor Plan- Bungalow
- Dwg. G07 Proposed Elevations - Bungalow
- Dwg. G08 Rev A, Street Elevations and Site Sections

Reason: To ensure the satisfactory development of the site

Before the Development is Commenced

- 3) No development shall commence until a construction management plan detailing the means of mitigation of construction has been submitted to and approved in writing by the Local Planning Authority.

This shall include but not be limited to the following:

- Methods for the mitigation of noise and vibration from construction works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
- Methods for dust control and suppression.
- Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
- If piling is required during construction, a detailed methodology justifying the method of piling chosen and details of noise and vibration suppression methods proposed.
- The areas for the storage of plant and materials and location of any on site compound.
- Hours of construction work

All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Reason: In the interests of highway safety and movement and to ensure the amenity of neighbouring occupiers is not significantly impacted on.

During Building Works

- 4) The external surfaces of the dwellings and extension shall be constructed in accordance with the proposed materials as detailed in the approved elevation plans listed in condition 2 of this decision notice.

Reason: To ensure an acceptable visual appearance.

Before the Development is Occupied

- 5) The development shall not be occupied until a scheme and appropriate scaled plan identifying locations on site for the erection of bat and bird boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation.

The approved scheme shall be installed in accordance with the approved details and timetable and retained as approved in perpetuity.

Reason: To enhance biodiversity at the site and safeguard the conservation of species/habitat.

- 6) No part of the development shall be brought into use until areas for vehicle parking, turning and manoeuvring have been laid out in accordance with the approved site plan; these areas shall be retained thereafter for that specific use.

Reason: In the interests of highway safety and movement within the development site.

Ongoing Conditions

- 7) No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations shall take place during the period 1st March to 31st August inclusive. If it is necessary to undertake works during the season, the trees and scrub are first to be checked by a qualified ecologist to ensure no breeding birds are present. If present, details of how they will be protected must be submitted for approval by the Local Planning Authority.

Reason: To protect birds during their breeding season.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no extensions, outbuildings, or dormer windows shall be erected and/or added to the hereby approved dwellings unless planning permission for such development has been granted by the Local Planning Authority.

Reason: to protect the residential amenity of neighbouring occupiers and maintain appropriate private amenity space for occupiers of the approved dwelling.

- 9) As detailed within approved drawing G02, the window to the side elevation at first floor level of the two storey dwelling shall not be glazed otherwise than with obscured glass and thereafter be permanently retained as such.

Reason: To protect the residential amenity of neighbouring occupiers adjacent.

Notes to Applicant

- 1) The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Development and Support team on 0151 934 4195 or E-Mail snn@sefton.gov.uk to apply for a street name/property number.
- 2) The applicant and any contractors responsible for implementing this permission should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.
- 3) There are a variety of piling methods available, some of which cause considerably greater noise and vibration than others. It is common for the prevailing ground conditions to influence the chosen method of piling. Where the prevailing ground conditions would permit more than one piling method, the Council would expect the contractor to choose the method which causes the least amount of noise and vibration, in accordance with the following hierarchy:

Pressed-in methods, e.g. Hydraulic jacking
Auger / bored piling
Diaphragm Walling
Vibratory piling or vibro-replacement
Driven piling or dynamic consolidation

Should the contractor propose to use a method which is not the preferred lower impact option, then satisfactory justification will need to be provided in order to demonstrate the piling method that is utilised meets Best Practicable Means (BPM). Please note vibration monitoring will be required for all piling projects. For further advice on what to include in your piling methodology scheme and current standards please contact Sefton's Pollution Control Team (email ETSContact@sefton.gov.uk)

- 4) The applicant should be made aware that any new footway crossings will only be constructed in accordance with Sefton's Vehicle Crossings Policy, which is available via this link: <https://www.sefton.gov.uk/media/4339/sefton-vehicle-crossings-policy-2021.pdf> and will be wholly at the applicants expense.

The applicant should contact Sefton's Highways Maintenance Team regarding the introduction of the new footway crossings via email: highway.Enquiries@sefton.gov.uk to determine whether it complies with the policy. The applicant must also note that the receipt of planning permission does not mean that the proposed footway crossing is compliant with the Vehicle Crossings Policy and will be approved.

- 5) The Council advises that sustainable drainage on a property level is considered by the applicant in order to retain surface water runoff from roofs and impermeable surfaces within the boundary of the development. This includes taking measures such as installing water butts, permeable paving and roof gardens.

The applicant should implement the drainage scheme in accordance with the surface water hierarchy below, discharge of surface water into anything other than the ground must demonstrate why the other sequentially preferable alternatives cannot be implemented:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer;
- to a combined sewer.

The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

- 6) If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets.

Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at developerServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets - DeveloperServicesWater@uuplc.co.uk

Wastewater assets - WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Complying with Planning Conditions

This application is subject to conditions. We expect you to comply strictly with all conditions. If you do not, we may serve you with a Breach of Condition Notice and this may lead to you being prosecuted.

Where stated, further details will need to be submitted and approved by us at certain stages of the development (including prior to its commencement) and what details must be submitted to do so. You will need to apply to us to approve details required by conditions, a fee will be required. For further details please visit <https://www.sefton.gov.uk/planning-building-control/apply-for-permission/confirming-compliance-with-planning-conditions.aspx>

You are responsible, where necessary, for obtaining approval under Building Regulations before you start work. The approved plans for both Building Regulations and Planning Permission must

be for the same development. Our Building Control Team will be happy to answer any queries you have regarding this, please contact building@sefton.gov.uk or call 0345 140 0845.

Appeals to the Planning Inspectorate

You can appeal against this decision (including an appeal against conditions) within **6 months** of the date of this decision notice (except for householder applications and minor commercial (e.g. shop fronts), which have **12 weeks** from the date of this notice).

Appeals should be made to the Planning Inspectorate.

Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Phone: 0303 444 5000
Email: enquiries@planninginspectorate.gov.uk
Website: <https://www.gov.uk/appeal-planning-decision>

In respect of a retrospective/part retrospective application being refused, the period for an appeal would be reduced to 28 days from the date on which any enforcement notice has been served.

Amendments following your decision

There are various ways to obtain approval if you need to vary any details from those submitted with your application. These include “non-material amendments” and “minor material amendments”. For more information, please visit www.sefton.gov.uk/amendpp

Issued By

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