

New Build Homes
Draft Supplementary Planning Document

For consultation

September 2022

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CONTENTS

Section	Page Number
1. Introduction	3
2. General Principles	5
3. Living conditions for neighbouring properties and future occupants of new homes	6
4. Design	16
5. Replacement dwellings in the Green Belt	20
6. Housing Mix	21
7. Other Matters	22
8. Agent for Change	25
Additional Information	26
Appendix 1 Approach to outdoor amenity space for homes	27
Appendix 2 Approach to outdoor amenity space for flats	28

1. Introduction

1.1 The purpose of the New Homes Supplementary Planning Document (SPD) is to provide guidance for housebuilders, applicants and their agents, neighbours and other members of the public on how the Council will deal with planning applications for **new build** homes, flats and various residential and care developments. The SPD will help guide the Council when making decisions on applications for those developments. This SPD does not cover proposals for conversions to flats or Houses in Multiple Occupation. These are covered in a separate SPD.

1.2 Sefton has numerous residential neighbourhoods and settlements, many with distinct characteristics and architectural features. This guidance does not, and cannot, cover every possible scenario. This SPD explains the factors the Council will consider in judging whether an application is acceptable or not. In some instances, there may be reasons that allow for a departure from these factors or where an innovative design solution is put forward.

1.3 This SPD provides further detail to policies in the Local Plan and, where applicable, a Neighbourhood Plan. It does not have Development Plan status, but it will be given weight as a 'material planning consideration' in the determination of planning applications. It is important that each section of this document is not read in isolation and the SPD is read as a whole.

1.4 For all proposals for new homes, we encourage you to use the Council's pre-application service to obtain early advice from planning officers on your proposed application. By discussing your project with us before you apply for planning permission, we can help you to put together a successful application that meets our requirements and avoid delays.

1.5 There are significant benefits in using our pre-application service:

- we will tell you whether your proposal is likely to be given permission or not
- we will tell you whether you need specialist input (e.g. if your proposal is likely to have an impact on listed buildings, conservation areas, trees, ecology, etc) before you submit your application
- we identify potential issues and reduce the chances of you putting in a proposal which is not going to be acceptable
- We will tell you if your proposal is completely unacceptable, and so will be able to save you the cost of putting in a formal application.
- We will tell what information you need to include with your application, reducing the chances of you making an invalid application, and improving how quickly we can deal with your application.

- We will set out potential financial contributions required under a ‘planning obligation’, so you can factor these in to any cost analysis.

1.6 There is a charge for this service. Details of our preapplication service can be found on the following webpage

[Sefton Council: Pre-application advice on development proposals](#)

1.7 We highly recommend for all schemes of 10 or more new homes, and all new build flat schemes, care homes and sheltered accommodation, that you consult with the local community before making your application. You should take account of the results of this in developing your scheme. You can find advice on making your planning application, including speaking to neighbours, at <https://www.sefton.gov.uk/planning-building-control/apply-for-permission/how-to-make-a-planning-application.aspx>

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2. General Principles

2.1 New homes must be designed to:

- provide high quality accommodation for future occupiers, in relation to both inside and outside space
- be adaptable to meeting changing needs of residents
- protect and enhance the character of the area and, where this has been eroded by poor quality developments, make sure that this is not repeated
- protect the living standards and amenity of neighbouring properties

In addition to the above, new homes must be built to meet national and local requirements in relation to energy efficiency, environmental health, flood risk, access and building safety (note – these are not covered in detail in this document).

2.2 Some of these issues will be addressed with this SPD. Others will be addressed more fully in other SPDs, policies and guidance. Other relevant SPDs include:

- Design
- Sustainable Travel
- Affordable and Special Needs Housing
- The Sustainable Drainage Systems (SuDS) and Flood Risk Information Note.

These can be viewed at www.sefton.gov.uk/SPD.

2.3 Some areas in Sefton have neighbourhood plans that provide planning policy for their areas. Neighbourhood Plans have been made in:

- Formby and Little Altcar
- Lydiate
- Maghull

Neighbourhood Plan policies have precedence where they conflict with advice within this SPD. These can be viewed at www.sefton.gov.uk/neighbourhoodplanning.

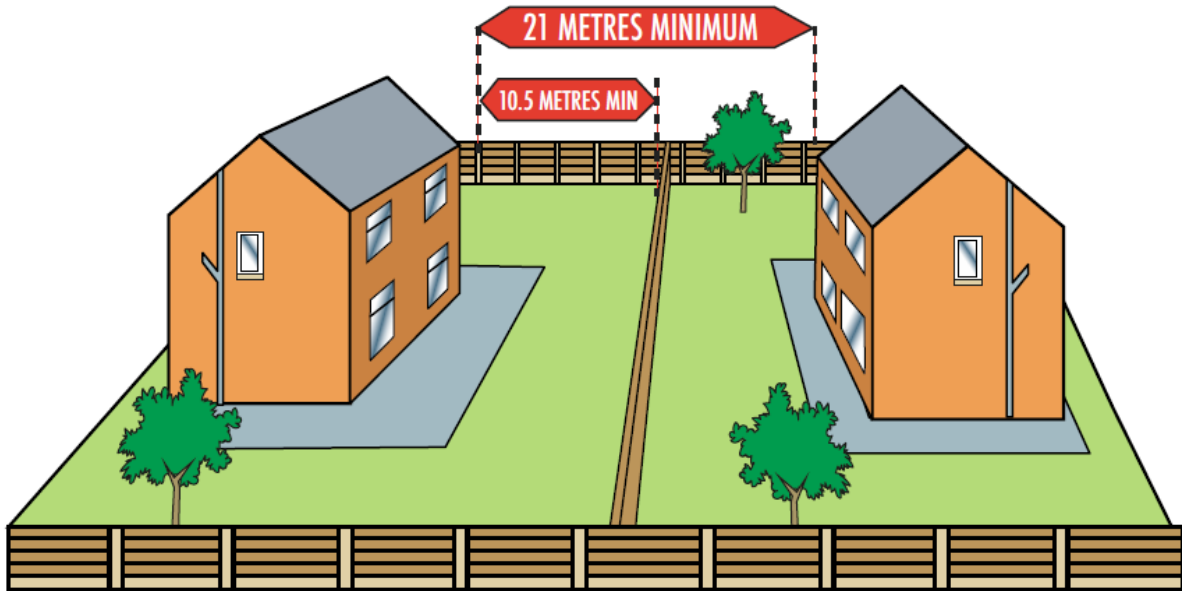
3. Living conditions for neighbouring properties and future occupants of new homes (including flats).

3.1 To be truly sustainable, new homes will need to respect the living conditions of neighbouring properties (existing and proposed) from any unacceptable harm.

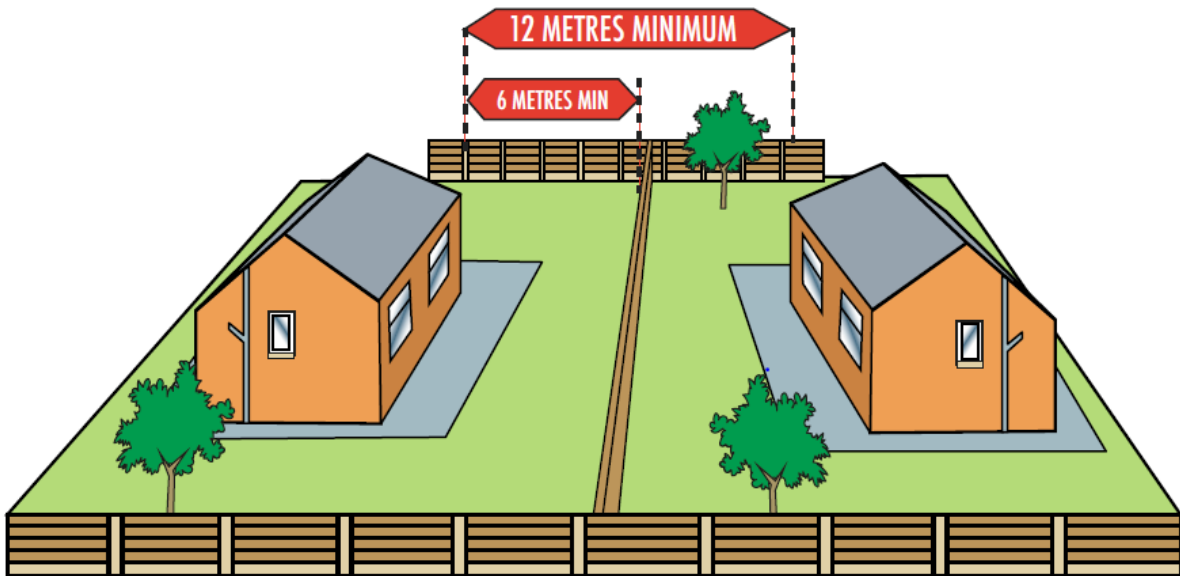
Interface Distances

3.2 The following interface distances are intended to protect residential amenity and living conditions by preventing unacceptable harm from matters such as overlooking, loss of privacy/outlook or being over-dominant.

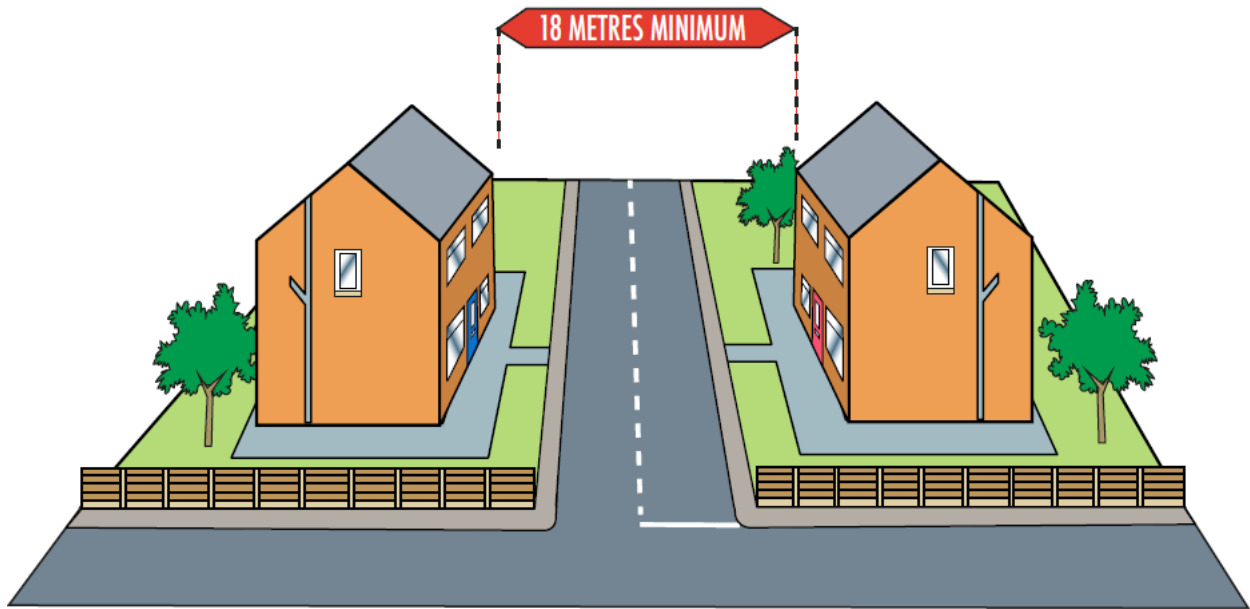
From	To	Minimum Distance
Habitable room window	A habitable room window on an elevation that does not front onto a road or public footpath.	12 metres between two single-storey windows. 21 metres for two or more storeys.
Habitable room window	A habitable room window on an elevation that fronts onto a road or public footpath.	18 metres
Habitable room window	The rear garden of a neighbouring property.	6 metres for single-storey 10.5 metres for two-storey 15 metres for three or more storeys
Ground floor habitable room window	A two-storey blank wall (or a two-storey wall that only includes non-habitable room windows).	12 metres
A bedroom window on ground floor or in basement	The public highway (including public footpaths or public car parks).	3 metres



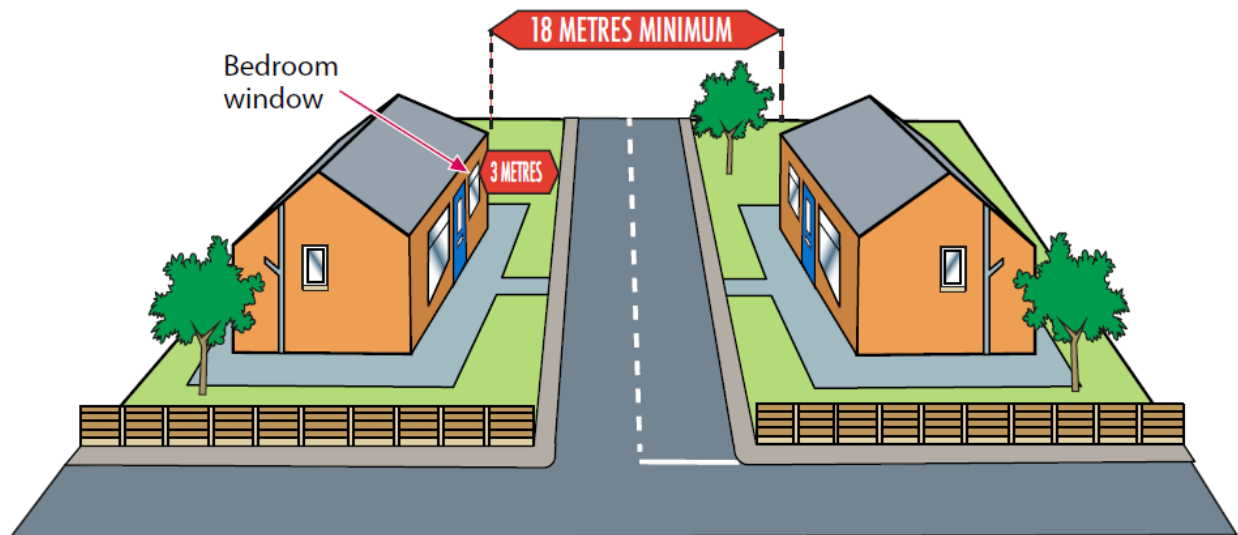
Interface distances between two storey habitable windows and neighbouring properties.



Interface distances between single-storey habitable windows and neighbouring gardens.



Interface distances between two-storey dwellings



Interface distances between single-storey dwellings

3.3 The lower interface distance for elevations facing a street reflect the fact that those elevations are going to experience less privacy due to comings and goings of pedestrians and vehicles.

3.4 If the development is unable to meet these standards, you will need to show why your application should be allowed. Circumstances where this might be considered acceptable may include:

- i. The local area is characterised by lesser distances between properties and it is not possible to meet the interface distances.
- ii. No significant harm to existing or future living conditions would result.
- iii. Where there would be significant harm to living conditions, appropriate measures are proposed to reduce the negative impact to an acceptable level. This may include bespoke window design.

3.5 Habitable room windows are very important for amenity, whether for privacy, outlook or for light. A habitable room is a room that people are more likely to spend time in. It is also important to understand the difference between a primary window and a secondary window. The table below sets this out:

Habitable rooms	Non-habitable rooms
<ul style="list-style-type: none"> • Kitchens • Living rooms • Dining rooms • Bedrooms • Studies • Conservatories 	<ul style="list-style-type: none"> • Bathrooms • Toilets • Stairways • Landings • Small porches • Garages
<p>Primary Window- A primary window is the main or only window through which light illuminates the room and provides the main outlook for the room.</p>	<p>Secondary Window- A secondary window is usually a smaller, subordinate, window which serves the same room as a primary window.</p>

Privacy

3.6 The minimum 3m interface distance requirement between a bedroom on the ground floor or basement (for example in a bungalow or ground floor flat) and the public highway is to ensure there will not be an unacceptable loss of privacy for residents. This is to prevent

residents having to leave curtains or blinds shut or by having outside plants providing privacy but denying natural light and/or outlook to the room.

3.7 A loss of privacy can in some instances be overcome by appropriate planting or boundary treatment (e.g. hedge, wall, fence). This may particularly apply to ensuring ground floor windows are private. However, if such boundary treatment or planting results in a significant loss of light or outlook for a habitable room, it will not be acceptable

Avoiding overshadowing, being over dominant and causing a poor outlook for neighbouring properties.

3.8 A new dwelling can have a considerable impact upon neighbouring properties through being over-dominant and causing a loss of light and/or causing a loss of outlook. It is important that the size, scale and positioning of a new property does not result in an unneighbourly development for either other new or existing neighbouring properties.

3.9 New homes should not result in significant overshadowing of neighbouring homes or gardens. If an extension is likely to significantly reduce the amount of sunlight entering a habitable room in a neighbouring property, or overshadow a major part of a neighbour's garden, planning permission may not be granted. The orientation of the new home will be considered in relation to overshadowing.

3.10 Development should not have an overbearing or dominant effect on nearby properties. This occurs when the physical presence of a building (size, height and form) results in a serious impact on the living conditions of neighbouring homes.

3.11 Avoiding poor outlook can be achieved through achieving interfaces distances as set out above.

Internal and External Space Standards

3.12 It is important for all of Sefton's households to live in accommodation that is safe and adaptable for a decent standard of living. Accommodation that is too cramped or small can be harmful to people's physical and mental health. Furthermore, smaller rooms and outdoor space can restrict how residents use the accommodation and can be too inflexible for their changing circumstances, such as a growing family. Therefore, Sefton has minimum standards for both indoor and outdoor space for new build houses and flats.

3.13 On schemes of over 50 homes or flats, the Council requires 20% of the homes for sale to be designed to meet 'M4(2) Accessible and Adaptable Dwellings' standards, and therefore, in the homes intended to meet this requirement, the standards below may not be sufficient. Applicants are advised to check these standards separately.

Internal Space Standards – New Build Flats

3.14 To ensure that self-contained flats are large enough to provide suitable accommodation for residents, the following minimum size standards should be met¹:

Minimum gross internal floor area for new build flats (m²)

	Total size of accommodation	Minimum main bedroom size ^{3 & 4}	Minimum secondary bedroom size ⁴
Studio flat ²	25	n/a	n/a
1 bedroom flat	37	10.5	n/a
2 Bedroom flat	61	10.5	8.5
3 Bedroom flat	74	10.5	8.5

² A studio flat is accommodation which has all the living accommodation (bedroom, kitchen, living room) within a single room/space. ³ A main bedroom is the only bedroom in a one bedroom flat or the largest bedroom in flats with two or more bedrooms. ⁴ The minimum bedroom floor areas exclude any en-suite bathroom, shower or toilet facilities.

3.15 At least one of the bedrooms in every new build flat should be able to be counted as a 'double' (i.e. able to accommodate a double bed or two single beds).

3.16 Otherwise, the space within the flat can be used flexibly so that new flats can be designed to meet local market needs. However, rooms should be of sufficient size for their purpose and able to accommodate basic furniture for the use of that room, e.g. a bedroom must be large enough to accommodate a bed and basic bedroom furniture.

Internal Space Standards – new build Houses

3.17 We recommend that new homes are built to a good size so that they are adaptable and should be large enough for modern needs including storage. The standards below are minimum standards that are expected for all new houses. Note that the floor space does not include attached or integrated garages.

¹ These standards are based on the Technical Housing Standards – nationally described space standards (DCLG, March 2015)

Minimum gross internal floor area for houses (m²)

	Total gross floorspace		
	Bungalows	Two-storey dwelling house*	Three-storey dwelling house
1 bedroom	50	58	n/a
2 bedroom	61	70	n/a
3 bedroom	86	93	99
4 bedroom	99	106	112
5 bedroom	112	119	125
6 bedroom	125	132	138

*including bungalows with first floor dormer accommodation

The figures are based on the Technical Housing Standards².

Outdoor private amenity space

3.18 Having usable private outdoor amenity space is important for all residents for physical and mental health. The design and proposed layout for new build homes must take into account the need for private outdoor amenity space. New build properties provide a perfect opportunity to provide sufficient outdoor amenity usable spaces unlike conversions, which may be limited due to the existing site area. Minimum standards for private outdoor amenity space are:

Development type	amenity space per unit
New Housing (1 or 2 bedrooms)	50m ²
New housing (3+ bedrooms)	60m ²
Extra care or sheltered housing – self-contained accommodation (per unit)	20m ² and a minimum overall of 80m ²

² Technical Housing standards (March 2015)

Nursing or care homes – not self-contained housing (per resident)	10m ² and a minimum overall of 80m ²
Flats/Apartments (per unit)	20 m ² with a minimum overall of 80m ²

3.19 All new housing (rather than new flats) must provide individual private garden space for each house. The standard above is for a private garden at the rear of the property (on occasion, normally on a corner plot, at the side of the property). The space must be genuinely usable in shape, size and function and it is up to you as the developer to demonstrate that you have achieved this.

3.20 The outdoor amenity space for flats, sheltered accommodation and care units will often be provided in shared communal space, although they may have some private space, such as a separate balcony or garden area. The communal amenity space for must be accessible to all residents and be of high quality. The standard can be met by provision of a communal area, such as:

- a rear garden, or
- a communal roof terrace (subject to no harmful effect on neighbours), or
- a private space (such as a balcony, subject to no harmful effect on neighbours) or
- a combination of these.

3.21 Balconies can reduce privacy for neighbouring properties; can be affected by noise and poor air quality (especially if on a busy road); and their design may not be suitable in all locations. However, where it is possible to avoid these issues, a balcony can be a good way of providing flatted accommodation with some private outdoor space. We therefore encourage balconies in appropriate circumstances. To count as part of the private amenity space, they will need to be large enough to accommodate a small patio table, an appropriate number of chairs and circulation space.

3.22 Areas to the front of a building that are not private, and areas intended for parking and bin stores, will not be included in any calculation of amenity space. Long narrow spaces, i.e. narrower than 2.5m, will not be included in a calculation of available amenity space as they are not considered to provide useable space. The amenity space should be designed to provide an area for residents for informal recreation, gardening, drying clothes and socialising.

3.23 The quality of outdoor amenity space for sheltered accommodation and care facilities should also take into account the specific needs of the residents. This may include how it is designed with the mobility of the expected residents in mind; quality of landscaping for those who cannot move far; well-being and safety of residents; and access to nature. We require you

to include a statement in your application to explain how you expect the open space to function.

3.24 If you cannot meet the required amount of amenity space for any development, we will insist that you consider a range of options (including reducing the number of units to be provided) to meet any shortfall.

3.25 If you attempt a range of ways to meet the amenity space standards, show you have done this, and you still cannot meet the standards, the Council may be prepared, in exceptional circumstances, to accept a lower amount. Appendix A sets out how the Council will assess planning applications for dwelling houses in relation to private outdoor amenity space and Appendix B sets this out for new build flats.

3.26 If your proposal does not meet the full amenity open space standard, it is your responsibility to clearly demonstrate why a lower standard should be accepted addressing the points in the flowcharts in Appendix A and B. You should show this in a statement submitted with your planning application. You should not assume that the Council will accept a shortfall in amenity space, and it is your responsibility to clearly demonstrate to the Council's satisfaction that a shortfall of amenity space would, on balance, still achieve a high quality and sustainable development.

3.27 The Council recognises that new build flats in our Town and District Centres³ will often have little opportunity to provide enough private outdoor amenity space due to limited available space. However, the new flats in these centres will often provide good quality accommodation that will be highly sought after because there is easy access to employment, shops, public transport links, leisure and cultural activities. Increasing the number of residents in our town and district centres also helps support our shops and services in these centres. The Council therefore supports the principle of new flats in our town and district centres. However, providing access to amenity space remains important. Please see Appendix B for how we will consider proposals for new flats and the level of outdoor private amenity space.

3.28 Nonetheless, the Council would still expect you to provide as much amenity space as possible, and not a significant shortfall (i.e. less than 80% of the full amount). If your proposal for new flats is still unable to achieve even 80% of the amenity space requirements, and they are in a town or district centre location, you must set out what significant benefits your scheme is offering to offset the harm to residents' living conditions. The significant benefits must be over and above the provision of new homes and may include a financial contribution, to offset the shortfall of private outdoor amenity space. This could go towards improving a nearby public open space to provide improved recreational space for new residents. The greater the

³ Southport, Bootle, Crosby, Waterloo, Formby and Maghull centres, as defined in Policy ED2 of the Sefton Local Plan (April 2017) and the Local Plan Policy Maps

shortfall of private amenity space, the greater the significant benefits will have to be to offset the harm.

Garage sizes

3.29 The Council sets out standards for car parking in the Sustainable Travel and Development Supplementary Planning Document. If you wish to use a garage to provide some of that car parking, the garage needs to be genuinely usable for parking a car regularly. The garage should have a door that is wide enough for a car to enter and leave easily. The internal dimensions of a garage should make it easy to get into and out of a car, including for people with limited mobility and young children. To count towards parking provision, a single garage must be a minimum of 6 metres in length by 3 metres in width (measured internally) and 4.2 metres wide if designed for wheelchair users. If the garage is not large enough to be genuinely usable for car parking, it will not count towards the required car parking spaces.

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4. Design

General

4.1 All developments should be built to a high quality design. Policy EQ2 (Design) of the Sefton Local Plan sets out the key principles of good design. To support good design, the Government has published a National Design Guide⁴ and it is expected the developers should have regard to this in their plans.

4.2 In general, all homes should maintain and enhance the quality of the local neighbourhood. Where the neighbourhood is considered to currently have a poor quality of design, it is important the new development raises the standards in the area. Development will be refused where it does not improve standards.

Street Scene

4.3 All new developments should respect the design, heights, building line, materials and built features in a street and wider neighbourhood. This particularly applies to infill schemes (including 'backland' development) within an existing housing development.

4.4 There may be some examples of smaller infill developments, where the proposed standards are incompatible with the existing buildings. For example, where the character of a street includes buildings flush to the pavement and/or narrow gaps between buildings (such in areas of older terraced homes), it may not be possible or desirable to meet car parking standards in new homes as this would be incongruous with the existing homes. We expect you to design homes that are in character with the street. You may need to explain in a Design and Access Statement or Transport Statement/Assessment why it is not possible or desirable to meet certain design standards in their proposal. This issue would not occur in larger developments as the development would be able to set its own character.

4.5 For care homes, flats and sheltered accommodation, many of the same principles will apply. However, they generally will be much larger in size and scale and so the design will need to be carefully considered in view of the character of the area. In some locations, this kind of development may not be appropriate. The design and access statement should fully justify the design of your proposal in relation to the surrounding street and neighbourhood.

4

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf

Backland development

4.6 Backland sites are sites behind existing buildings, often with no street frontage and sometimes within predominantly residential areas. Backland sites are often in, or have been in, employment use and are quite common in Southport. However, backland sites can also be large residential gardens which can be severed to create a separate development site.

4.7 A tandem development is a backland development, where a new dwelling is placed immediately behind an existing dwelling. This is generally on land that is severed from the rear garden of the existing dwelling to create a new building plot. The plots created are often quite small and will often share the same access as the existing dwelling. Due to the problems of overlooking, noise and traffic disturbance, loss of amenity, cramped nature of the development and the harm to local character, the Council would normally resist such proposals, unless in exceptional circumstances where all of these issues can be adequately addressed. Even in areas where such development has been allowed in the past, we recognise that it is harmful to the character of the area and we now generally consider it is no longer acceptable.

4.8 Situations where backland development may be acceptable are:

- i. replacing existing buildings, for example business properties to the rear of residential properties as happens in some areas of Southport
- ii. properly planned larger backland schemes where a comprehensive redevelopment can be achieved whilst preserving the character of the area.

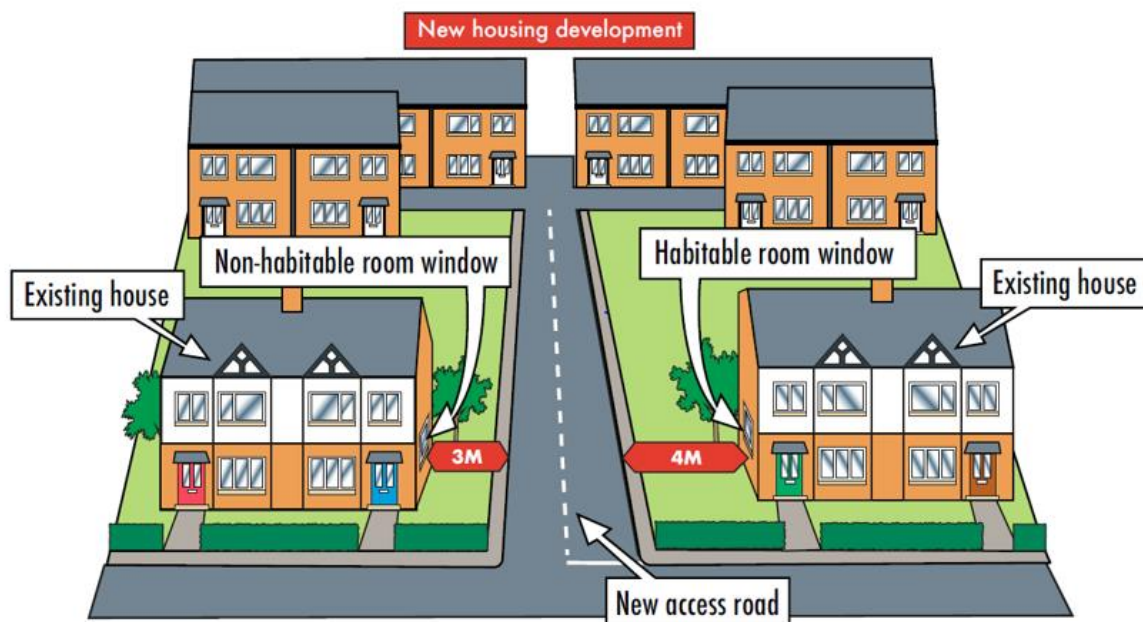
4.9 In the circumstances where tandem or backland development is considered acceptable in principle, we expect development to:

- i. respect the layout, form and character of the local area
- ii. respect the living conditions of existing neighbouring properties and future residents in the new properties.

Access roads for backland and tandem development

4.10 We expect access roads to adhere to the following standards:

- A minimum gap of 3 metres from the near side of the access road to the side of any ground floor window facing onto the road. 4 metres where there is a habitable room window facing the access road. Please see the diagram below:



Backland development access arrangements

- We will not normally support rear parking courts as they tend to result in poor quality places with little natural surveillance and they also are poor quality in terms of design and effect on living conditions.

4.11 For shared surfaces and driveways, you should refer to the highways developers pack https://www.sefton.gov.uk/media/1305981/sefton_council_developers_pack_2017_intro_and_street_design.pdf

Hard standing

4.12 In the exceptional circumstances where backland development is allowed, we will restrict hard standing in areas prone to surface water flooding. Where hard standing has to be used, we prefer you to use permeable paving. If permeable paving is not practicable, you should consider directing any surface water run-off towards sustainable methods of infiltration such as soakaways or other sustainable drainage systems.

Boundary Treatment

4.13 Appropriate boundary treatment is important for the appearance of an area, for safety of residents and for privacy. We discourage boundary treatment facing roads, footpaths and other public areas in the form of high walls and fences (over 1 metre in height) and should either be left open or have some appropriate low-level planting. There may be some exceptions

when this reflects the prevailing character of the area, however existing poor quality boundary treatment in the area should not be replicated.

4.14 High walls and fences (i.e. over a metre in height) can harm the character of an area and appear defensive, unneighbourly and oppressive. Wholly wooden fences often provide a poor-quality appearance to a housing area and can age badly. You should avoid using these in most circumstances where they front onto or face the public realm, including roads, footpaths, public parks, playing pitches, cemeteries, canals and railway lines.

4.15 Boundaries between residential properties at the rear of homes, i.e. those that separate the rear gardens of individual properties, should of sufficient height, design and material to afford privacy for future residents. Generally, you should provide fences or walls to be high enough to prevent gardens from being easily overlooked.

4.16 When designing boundary treatment, you should consider the movement of hedgehogs. Hedgehogs need to be able to move freely between gardens to be able to flourish. Therefore, the boundary treatment between the property and all over properties must allow for the unimpeded movement of hedgehogs. This should include small purpose-built gaps for the Hedgehogs to get through. Examples can be viewed here- <https://www.hedgehogstreet.org/help-hedgehogs/link-your-garden/> An exception to this is where fences abut roads, or if the fence needs to provide protection from excessive noise levels.

Bin Stores

4.17 You should provide dedicated space in your scheme to store bins from the outset. It is important that:

- the size of bin storage is adequate for the number of bins required
- The bins are easily accessible to the street so that bins can easily be left for collection and brought back in afterwards
- That bin storage does not detract from the character of the development. It should therefore, where possible, be at the side/rear of the property or, if not, in a dedicated and purpose-built facility that does not detract from the character of the property. The Council will not normally support bins being stored in back or side alleys.

5. Replacement dwellings in the Green Belt

5.1 In cases where it is proposed to replace an existing dwelling house in the Green Belt, the new dwelling should be no more than 15% larger in volume than the existing dwelling house to be considered 'appropriate'. Any building larger than this will generally be considered as inappropriate development in the Green Belt.

5.2 In calculating the volume of the existing house, the Council will not include any allowance for unimplemented approvals for extensions or unused permitted development rights. However, these may be considered in an assessment of 'very special circumstances' taking into account how likely they are to be implemented (i.e. the 'fallback' position).

5.3 Permanent outbuildings of substantial construction, including brick-built sheds, garages and summer houses that are within 5m of the dwelling house, will count towards the volume of the existing property if they are to be demolished as part of your proposals.

5.4 A replacement dwelling in the Green Belt will also be assessed by its height, width and depth. These factors are relevant to its impact upon the 'openness' of the Green Belt.

5.5 Inappropriate development in the Green Belt will only be approved in 'very special circumstances' where the benefits of the development clearly outweigh the harm to the Green Belt, and any other harm.

5.6 An application for a replacement dwelling in the Green Belt should be accompanied by a statement setting out the details of the volume, height and floorspace of the existing and proposed dwelling.

6. Affordable Housing and Housing Mix

6.1 Sefton Council recognise the importance of development providing sustainable housing schemes that serve the whole community. Part of serving the whole community involves providing mix of housing tenures, including both affordable rent and affordable market products as well as providing a mix of housing sizes with different numbers of bedrooms. Sustainable communities will also include homes that are adaptable to changing life circumstances, such as old age and those who may have limited mobility or require the use of a wheelchair. This is recognised in the Sefton Local Plan and in particular by two policies, *HC1 Affordable and Special Needs Housing* and *HC2, Housing type, mix and choice*.

6.2 The Council have set out further details on how these policies are applied in the Affordable and special needs housing and housing mix Supplementary Planning Document, (June 2018). This can be viewed at; <https://www.sefton.gov.uk/media/2946/2-affordable-housing-spd-june-2018.pdf>. This SPD is currently being updated.

6.3 It is important to check Neighbourhood Plans which may have different housing mix requirements – see www.sefton.gov.uk/neighbourhoodplanning.

7. Other Matters

Heritage

7.1 Sefton has a wide variety of built heritage assets throughout the borough. These include Conservation Areas, Listed Buildings and non-designated heritage assets. These heritage assets have an important role in the character of many of Sefton's communities. It is important that new housing developments do not have a negative impact upon these heritage assets.

7.2 If the development is in a Conservation Area or involves a heritage asset⁵, the heritage considerations may mean departing from some of the standards and principles set out in this SPD. As these will depend upon the nature of the heritage asset, it is not possible to set out in this SPD what would be expected. It is best in these instances to seek specialist heritage advice when preparing your scheme and to seek pre-application advice from the Council at the earliest opportunity in order to take the heritage issues into account. You should include a heritage statement with your application, produced by a suitably qualified professional. The level of detail should be appropriate to the likely impact on heritage.

Trees

7.3 Trees are important for a wide variety of reasons. These include the character of a building and an area, climate change and carbon storage, flooding and drainage. They are also important for mental health, and for wildlife and bio-diversity.

7.4 Existing trees should be retained where possible. You will need to take great care in planning any development close to trees as they can reduce natural light to dwellings whilst new development may block light to the tree(s). We will take account of the potential future pressure to remove trees as a result of a new development. If you think any trees need to be removed to allow for your development, you should include a trees assessment with your application and show on your plans what replacement planting you are proposing. The replacement planting should be of both high quality and appropriate quantity (a minimum of 1:1 for trees lost). You should include a robust statement explaining why it is necessary to lose the existing tree(s) and why your proposals for replacement is acceptable. You should also include a management and maintenance plan explaining how the tree(s) will be cared for in the long-term. The Council may secure this through conditions or a legal agreement.

7.5 Where replacement trees cannot be accommodated on site, the Council may refuse a planning application unless offsite planting can be provided in an appropriate local location. This might be secured through a legal agreement which would state where the trees would be planted and how they would be maintained and the costs for doing so.

⁵ the setting of a listed building or a scheduled ancient monument, a non-designated heritage asset or a historical park or garden

7.6 Trees covered by a Tree Preservation Order (TPO) are subject to strong protection and should not be lost through development. The justification for removing trees covered by a TPO will have to be compelling and the benefits of any replacement planting must be significantly greater than what is being lost.

Drainage

7.7 Sefton is a low-lying borough with a number of water courses running through the borough. The result is that many sites will be at higher risk of flooding, and some areas are classed by the Environment Agency as being in flood zone 2 or 3 for river flooding or are classed as being areas at high risk of groundwater or surface water flood risk or from the canal. It is important that any development does not leave either homes on the application site or other properties at risk of flooding.

7.8 It is not the intention here to go into detail. Sefton Local Plan policy EQ8 – ‘Flood risk and Surface water’ sets out how the Council expect flood risk to be managed. For developments in the Formby and Little Altcar area, there are a series of specific flood risk policies in the Neighbourhood Plan. Further information can also be found in The Council’s Sustainable Drainage Systems (SuDS) and Flood Risk Information Note <https://www.sefton.gov.uk/media/3497/flood-risk-information-note-fulldoc.pdf>

7.9 The Council have a team who can look at the drainage of any scheme as part of the pre-application service.

Parts of the borough are classed as flood zone 2 or 3 and are at greater risk of flooding. Details of the Environment Agency flood zones can be found at, <https://flood-map-for-planning.service.gov.uk/>

Ecology, Habitats Regulations and Biodiversity

7.10 Sefton is in an area where there are a significant number of international, national and local nature designations. There are also a number of protected species in the area, notably Red Squirrels, Natterjack Toads, Water Voles, a number of species of bats, and Sand Lizards. If your proposal is in or adjacent to any of these recognised areas and impacts on protected species, we strongly advise you to come to us for pre-application advice as well as employing the services of a qualified ecologist to let you know what assessments may be required. The Merseyside Environmental Advisory Service (MEAS) can provide you with this advice through our pre-application service, where appropriate. The Council have produced a Nature Conservation SPD. This can be viewed at <https://www.sefton.gov.uk/media/2845/nature-spd-20170814.pdf>

7.11 Any housing scheme of ten or more dwellings may be subject to a Habitats Regulations Assessment in relation to Recreational Pressure on the Sefton Coast. The Council have produced an interim advice note on this: <https://www.sefton.gov.uk/planning-building->

[control/planning-policy-including-local-plan-and-neighbourhood-planning/recreation-mitigation-scheme/](#)

Public Open Space

7.12 It is important to provide adequate public open space for residents in all of Sefton's communities. It increases the quality of life for residents and provides valuable opportunities for sport, recreation and play. The Sefton Local Plan sets out where there are open space requirements for development in policy *EQ9 – Provision of Public Open Space, Strategic Paths and Trees*.

7.13 Open space is normally required where there are 150 or more dwellings in the scheme or where there are 11 or more dwellings and the site is over 2km from a 'main park' or a Countryside Recreation Area. Appendix 1 of the Local Plan sets out specific requirements for open space within housing allocations.

7.14 The Council have produced a Supplementary Planning Document, the Open Space SPD (2017), that sets out details about how we expect open space to be provided. This includes details on how it should be laid out, what equipment might be provided and arrangements for managing and maintaining it for the long-term. The SPD can be viewed at <https://www.sefton.gov.uk/media/5286/open-space-spd-2017-2022-23s106rate.pdf>

7.15 We will use this document if we agree that a financial contribution towards nearby open space or parks is acceptable to compensate for a shortfall of outdoor private amenity space (see above).

Water Consumption

7.16 Under the Building Regulations, the maximum water consumption rate is 125 litres per person per day. However, under Building Regulation 36 (2) & (3) there is a provision to introduce the higher requirement providing the Planning Authority adopts such a policy. It is therefore proposed that for all new homes in Sefton have a maximum 'consumption of wholesome water rate' of 110 litres per person per day.

8. Agent for Change Principle

8.1 Paragraph 187 of the National Planning Policy Framework states:

'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'

8.2 If new housing or residential development is proposed next to an existing use, including a business, supermarket, sports and recreation facility, restaurant, public house or community facility, it may raise the issues described above. This is where the existing use, which had otherwise been operating acceptably, may cause noise and other nuisance to the residents in the new homes. If not adequately addressed, this issue could result in the closure of a business/facility or restrictions of its opening hours despite there being no change to how it operated in the past.

8.3 Where a proposal for housing or a residential use may lead to a serious problem of the type described, an application may be refused unless the applicant can demonstrate how the issue will be addressed. This may include the applicant making changes to the layout or design of the proposed development or other mitigation. The mitigation may require agreement between parties and applicants are advised to speak to the owners/operators of neighbouring businesses or facilities.

8.4 In order to help determine where this kind of issue might arise, we encourage you to seek pre-application advice. This may well determine whether you need to include any extra information with your application, for an example, a noise assessment.

8.5 If this is relevant to your proposal, you should include a planning statement with your application saying how you have addressed it.

Further Sources of Information

National Policy/Guidance

National Planning Policy Framework and Planning Practice Guidance.

<http://planningguidance.planningportal.gov.uk/>

Plain English Guide to the Planning System

<https://www.gov.uk/government/publications/plain-english-guide-to-the-planning-system>

Planning Portal

<http://www.planningportal.gov.uk>

National Design Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf

Local Guidance

Sefton Local Plan

<https://www.sefton.gov.uk/localplan>

Neighbourhood Plans

<https://www.sefton.gov.uk/planning-building-control/planning-policy-including-local-plan-and-neighbourhood-planning/neighbourhood-planning.aspx>

Contact details

Planning Department Email planning.department@sefton.gov.uk

Pre Application Service <http://www.sefton.gov.uk/planning-building-control/apply-for-planning-permission/pre-application-advice-on-development-proposals.aspx>

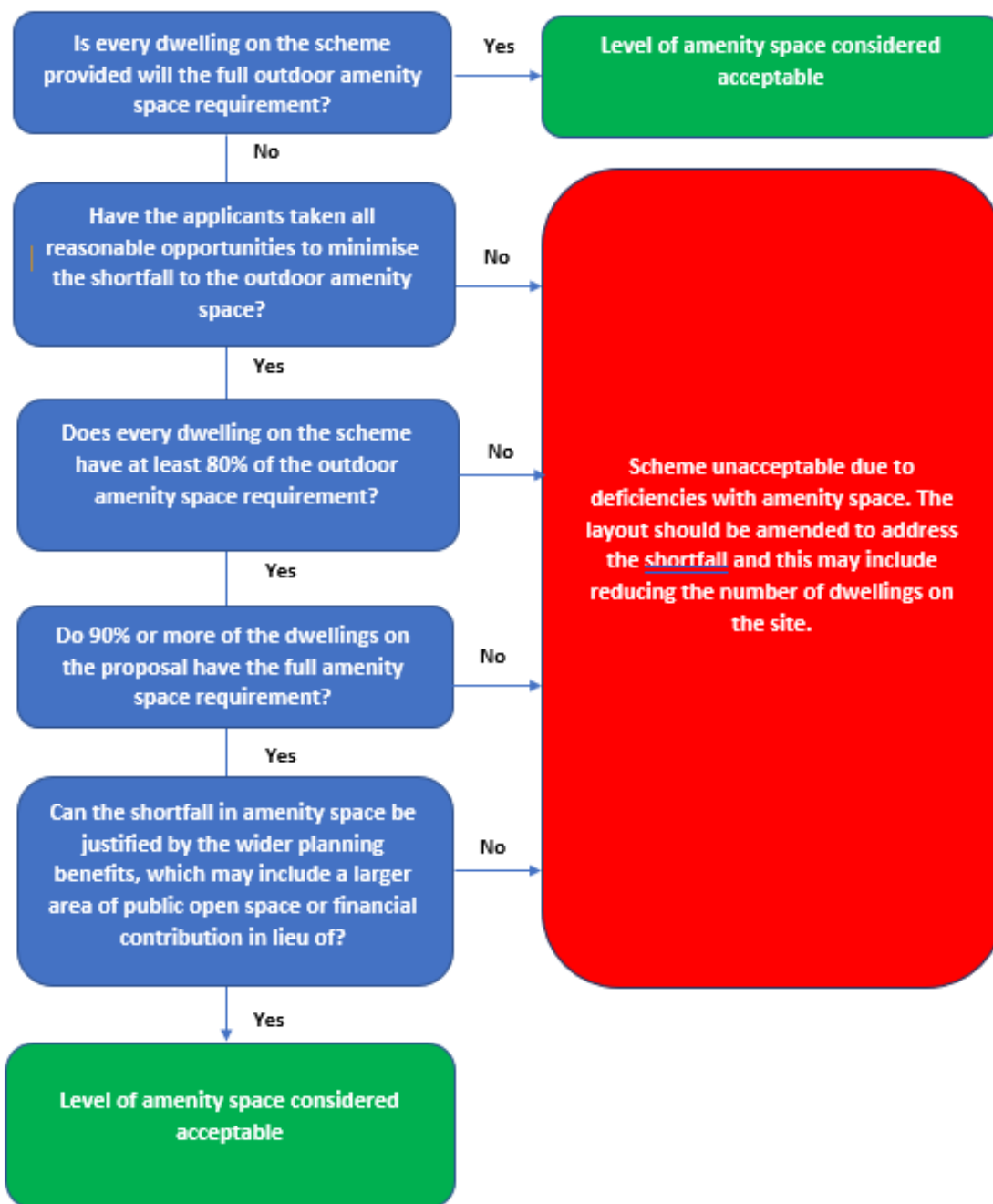
Sefton Building Control Email building@sefton.gov.uk

Planning Policy Email local.plan@sefton.gov.uk

Conservation Team Email conservation@sefton.gov.uk

Appendix A - Amenity space for New Dwellings

New build dwellings (this does not include a block of new build flats including those on a larger housing schemes) - Determining if the level of private outdoor amenity space is acceptable



Appendix B - Amenity space for new Flats

New build flats (either a standalone block, or an individual block in a larger housing development scheme) - Determining if the level of private outdoor amenity space is acceptable

