

<u>APPLICATION NO:</u>	23/00603/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Prescot South	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	122 Dragon Lane, Whiston, Knowsley		
<u>PROPOSAL:</u>	CONSTRUCTION OF DROPPED KERB AND ASSOCIATED WORKS FOR VEHICULAR ACCESS		

Site Description

The application property is located at 122 Dragon Lane, Whiston, Knowsley and is located in an area allocated as a Primarily Residential Area in the Development Plan.

The street scene is characterised by wide highway verges with concrete pavements between the front boundary treatments of dwellings and the highway of Dragon Lane.

As evidenced on Google Maps Street Scene, it appears that access to the residential dwelling was taken unlawfully across the highways verge to access the hardstanding within the curtilage of the boundary of no.122.

Proposal

The application seeks permission for the construction of a dropped kerb (and associated works) to the highway verge to access 122 Dragon Lane. The dropped kerb would measure at a width of 4.8m.

Consultations

Whiston Town Council - No Comments Received.
Highway Authority - No Comments Received.

Representations

This application has been publicised by letters sent to 8 neighbours. No representations have been received.

Planning History

APP. NO:	05/00010/FUL
PROPOSAL:	ERECTION OF TWO STOREY EXTENSION TO SIDE OF DWELLING TOGETHER WITH CONSTRUCTION OF PITCHED ROOF TO EXISTING SINGLE STOREY REAR EXTENSION AND ERECTION OF CONSERVATORY ALSO TO REAR.
DECISION:	GRANTED
DECISION DATE:	10 February 2005

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

- CS2 - Development Principles
- CS7 - Transport Networks
- CS19 - Design Quality and Accessibility in New Development
- H5 - Development within Primarily Residential Areas
- H8 - Extensions and Alterations to Residential Properties

Policy CS2 sets out local principles which underpin new development in Knowsley. Of particular relevance to this application is principle 3 which seeks to encourage safe and secure access for all.

Policy CS7 sets out the Local Planning Authority's approach to transport networks and requires new development to be designed to prioritise accessibility with further guidance outlined in the Ensuring a Choice for Travel Supplementary Planning Document.

Policy CS19 sets out the Local Planning Authority's approach to design quality and accessibility and requires development to provide safe, secure and convenient routes for movement.

The application property is located within a Primarily Residential Area. Whilst it does not relate to residential development the policy (H5) allows for development which is for uses appropriate to the residential area such as providing access to an existing dwelling house.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2, CS7 and CS19 of the adopted Local Plan Core Strategy (2016), and saved policy H5 of the Unitary Development Plan (2006).

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Highways

Paragraph 111 of the NPPF (2021) sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe.

The application site is located in a built-up urban area. Google Maps Street Scene contains evidence that no.122 Dragon Lane benefits from hardstanding parking within the curtilage of the property and has been accessed unlawfully for a period of time.

The hardstanding within the curtilage of the dwelling has been changed from patio paving slabs to tarmac. The proposed dropped-kerbs are sought to assist access for a disabled child.

The Highways Authority have been consulted and have not raised any concerns or objections to the application. Therefore, the works are considered acceptable, and as such, the proposal would be considered acceptable and would not result in adverse impact to highway safety.

Residential Amenity

There is no additional built form associated with the development. Therefore, the proposals would not adversely impact the residential amenity of neighbours.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore, recommend for approval subject to conditions.

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 1) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
08/06/2023	518770	REV A	LOCATION PLAN AND EXISTING AND PROPOSED LAYOUT
28/04/2023	-	-	CROSSING SPECIFICATION

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 15 August 2023

Informatives

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

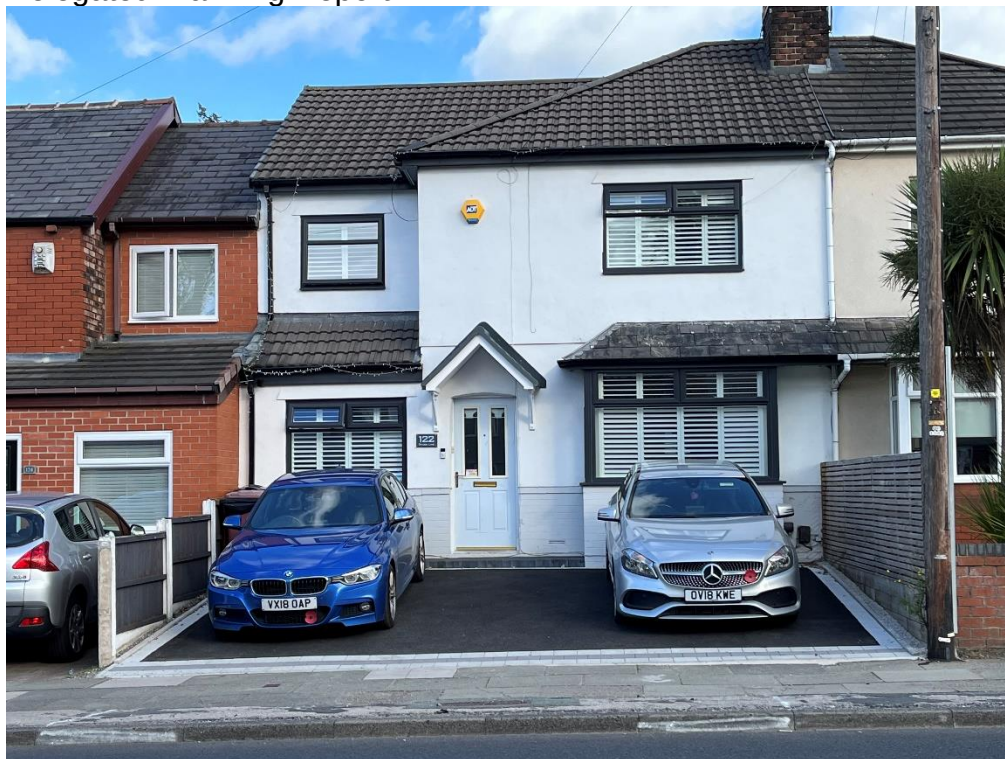
¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Appendix 1 – Site Photographs



Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report



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Google Maps Street Scene, November 2022.

