

<u>APPLICATION NO:</u>	26/00121/FUL	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Prescot Town Council
<u>LOCATION:</u>	27 Newhall Road, Prescot, Knowsley, L34 1AQ		
<u>PROPOSAL:</u>	RETENTION OF A REAR CONSERVATORY		

Site Description

The application site comprises a four-bedroom double-fronted detached dwellinghouse located on Newhall Road, Prescot. The dwelling is characterised by brick to all elevations and a hipped roof with cross-gables to the front and side elevations. The property currently benefits from a detached garage to the side and a conservatory to the rear. There is off-street parking available to the side for three vehicles.

The surrounding area comprises a new build estate with a mixture of two-storey detached or semi-detached dwellinghouses, with the occasional three-storey dwellinghouse.

The application site is situated within the 'South Prescot Action Area', as allocated in the Knowsley Local Plan: Core Strategy.

Site Constraints

- Coal Consultation Zone (High Risk)
- Waste Tipping Site

Proposal

Planning permission is sought for the retention of the existing conservatory to the rear.

The conservatory has a width of 4.6m, projects 4.1m beyond the rear elevation of the dwellinghouse and has a gable slate roof with an eaves height of 2.5m and a ridge height of 3.4m.

The conservatory is finished in brick to the base and has white UPVC glazing to all elevations, with an apex window within the rear elevation.

Consultations

Environmental Health – No objections.

Provided comments regarding the gas membrane that would have been installed when the house was built, under planning reference 15/00022/OUT. Environmental Health have also recommended an informative to be included on the decision notice.

Representations

This application has been publicised by letters sent to 9 neighbours. One representation in support of the application was received as a result of the publicity given to the application.

The letter of support received detailed that they have no objections to the application.

Planning History

24/00170/FUL	DEMOLITION OF EXISTING BOUNDARY WALL AND ERECTION OF NEW BOUNDARY WALL TO THE SIDE AND REAR. GRANTED (22 JULY 2024)
17/00661/REM	RESERVED MATTERS APPLICATION FOR THE ERECTION OF 173 NO. DWELLINGS, LANDSCAPING, VEHICULAR AND PEDESTRIAN ACCESSES AND ASSOCIATED WORKS (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE TO BE CONSIDERED) GRANTED (11 JANUARY 2018)
15/00022/OUT	OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT COMPRISING UP TO 750NO. DWELLINGS & UPTO 929 SQ M OF COMMERCIAL/INDUSTRIAL BUILDINGS (USE CLASSES B1/B2/B8) - ALL MATTERS RESERVED FOR FUTURE APPROVAL GRANTED (20 DECEMBER 2016)
11/00385/OUT	DEMOLITION OF EXISTING BUILDINGS AND OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT COMPRISING UPTO 623 NO. RESIDENTIAL DWELLINGS, ASSISTED/CLOSE CARE LIVING (USE CLASS C2), OFFICE DEVELOPMENT (USE CLASS B1), GENERAL INDUSTRIAL DEVELOPMENT (USE CLASS B2), STORAGE OR DISTRIBUTION DEVELOPMENT (USE CLASS B8), TOGETHER WITH OPEN SPACE/GREENSPACE INFRASTRUCTURE; ASSOCIATED ROADS AND INFRASTRUCTURE - ALL MATTERS RESERVED FOR FUTURE APPROVAL GRANTED (29 APRIL 2013)

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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

Policy CS2 Development Principles
Policy CS13 South Prescott Action Area
Policy CS19 Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

Policy H8 Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

RESIDENTIAL AMENITY AND DESIGN

The Householder Development SPD advises that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours or appear unduly dominant to neighbours.

The SPD advises that single storey rear extensions located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4.0m from the rear elevation of the dwelling.

The existing conservatory has a width of 4.6m and projects 4.1m beyond the rear elevation. As such, the conservatory exceeds the SPD's guidance in terms of its

projection by 0.1m, causing the requirement for the 45-degree principle to be applied.

Considering the impact on the neighbouring dwelling to the right 29 Newhall Road, the conservatory projects 4.1m beyond the rear elevation of No.29 and is set 5.3m away from the shared boundary. The conservatory does not breach the 45-degree rule when measuring from the nearest habitable doors and is predominantly obscured by the application sites detached garage. Therefore, the conservatory does not have a negative impact on the amenity of No.29 and is acceptable.

The conservatory has no impact on the amenity of 21 Newhall Road, as it faces onto the blank gable of No.21.

The conservatory has a gable roof which is slightly visible from the wider street scene of Newhall Road, due to the double-fronted nature of the property. The roof-profile is considered to be acceptable, as the application sites main roof incorporates gable accents and the wider area is predominantly of a pitched nature. Therefore, the roof-profile has no impact on the visual amenity.

The conservatory has been finished in a brick base with white UPVC glazing to all elevations. As the materials match the wider dwellinghouse, the conservatory is considered to be acceptable in visual terms. Additionally, the glazing within the conservatory raises no overlooking concerns due to boundary treatments and ground floor siting.

In summary, the rear conservatory is considered to be acceptable in terms of any impacts on the residential and visual amenity of the host property and the surrounding area and complies with Policy CS19 of the Core Strategy, Policy H8 of the Replacement Knowsley UDP, and guidance provided by the Householder Development SPD.

ENVIRONMENTAL HEALTH

The property is located on the former Prysmian Cables Site which was investigated and monitored under planning approval 15/00022/OUT. As part of the planning permission, earthworks were undertaken, and remediation measures were put into place to ensure that the site is suitable for a residential end use.

For information, at each property the following build phase remediation and validation was undertaken:

- Installation of a gas/vapour protection membrane (Visqueen). Following installation each plot was visually inspected for compliance with the specification including the subfloor void and airbricks, protection membrane type and installation validation. Independent integrity testing of the membrane was undertaken at 1 in 3 properties.
- Provision of a 600mm clean cover soil system underlain by a high visibility geotextile membrane in all areas of soft landscaping in the rear gardens.
- A nominal 300mm of clean topsoil was used as a cover system in front gardens.

Based on the information available and the previous remediation undertaken at this site in relation to contaminated land, there is the potential that some contamination may still exist below the area of the front garden beneath 300mm which will then be in the rear garden, which has a clean cover of 600mm, which could potentially be

producing ground gas.

Initial comments from Environmental Health raised concerns as to whether a ground gas membrane was installed under the conservatory. Based on correspondence with the applicant and agent, it was discussed that no membrane was installed when the conservatory was first erected.

Following discussions with the agent, the applicant had agreed to remove the existing floor finish to allow for the installation of a gas proof membrane, 0.5mm thick low-density polyethylene "Radbar Amber 1" gas membrane manufactured by Capital Valley Plastics Limited, with a 25mm vent matting system, which would match the membrane installed within the property under planning reference 15/00022/OUT.

Environmental Health have further reviewed the amended drawing no. Studio-2026-388-001-PL (REV D), details of the gas installation company (dated 12.05.2026), details of the technic specification information on the gas installation company (dated 13.05.2026), details of the works to be undertaken and the verification report (dated 15.05.2026), GeoShield Verification Report 1, and the email from the applicant detailing completion of the works (dated 18.05.2026) and consider that the works for the gas membrane are acceptable to Environmental Health.

The homeowners have a duty of care to inform prospective buyers that if the external wall was to be removed between the house and the conservatory that the gas protection system would be compromised. This information will be held on record with Environmental Health and if an environmental search was to come in for the property through a future purchase, Environmental Health are duty bound to inform them of this.

Conclusion

The proposal would be acceptable in terms of any impacts on the residential and visual amenity, and environmental health. The proposal also complies with the Knowsley Local Plan: Core Strategy, Replacement UDP Policies and guidance provided in the NPPF, and is therefore recommended for approval, subject to conditions.

Recommendation

That planning permission be granted subject to the following conditions:

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
08.05.2026	STUDIO-2026-388-001-PL	REV D	EXISTING / AS BUILT FLOOR PLANS, ELEVATIONS AND SITE PLAN
12.05.2026	-	-	EMAIL FROM APPLICANT DETAILING INFORMATION ON THE GAS INSTALLATION COMPANY
13.05.2026	-	-	EMAIL FROM APPLICANT DETAILING TECHNICAL SPECIFICATION ON GAS INSTALLATION COMPANY
15.05.2026	-	-	EMAIL FROM APPLICANT DETAILING WORKS UNDERTAKEN AND VERIFICATION REPORT
15.05.2026	GEO106129	-	GEOSHEILD VERIFICIATION REPORT 1
18.05.2026	-	-	EMAIL FROM APPLICANT DETAILING COMPLETION OF THE WORKS

Signed Case Officer¹:

Louise Robinson

Signed Authorising Officer²:

Jo Sheridan

Date:

18/05/2026

Informatives

1. The homeowners have a duty of care to inform prospective buyers that if the external wall was to be removed between the house and the conservatory that the gas protection system would be compromised. This information will be held on record and if an environmental search was to come in for the property through a future purchase, we are duty bound to inform them of this.
2. The external wall between the kitchen and the conservatory is to remain in place to protect the integrity of the gas protection membrane that is in place within the property, as part of mitigation measures under planning reference 15/00022/OUT. If

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

the homeowner wishes to remove this wall, then consultation with the planning department is required.

3. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026