

APPLICATION NO: 22/00603/FUL

CASE OFFICER: Andrew Hunt

WARD: Roby

PARISH:

LOCATION: 8 Normandy Road, Huyton, Knowsley, L36 7UU

PROPOSAL: ERECTION OF 1NO SEMI DETACHED DWELLING TOGETHER
WITH VEHICULAR ACCESS ALTERATIONS AND ASSOCIATED
WORKS

Site Description

The application site is grassed area adjoining a detached dwelling within a residential area at Normandy Road, Huyton. Immediately to the east is a row of terraced houses and there are other terraced houses to the west, north and south.

Proposal

The proposal is for the erection of 1 no semi-detached dwelling together with vehicular access alterations and associated works.

Consultations

Environmental Health – No Objection subject to conditions in relation to contamination investigation, and reporting of contamination, importation of soil/material, and construction hours.

Highways - Highways have no objection to the proposed development subject to a condition to secure the implementation of parking.

Merseyside Fire and Rescue Service – No Objection subject to informatives.

United Utilities – Request additional information. Following our review of the proposed site layout, we have concerns regarding the proximity of proposed development to our wastewater asset(s). The applicant should contact our Developer Services team to discuss. We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy.

Representations

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

Planning History

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

None Relevant

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for the erection of 1 no semi detached dwelling including detached garage together with creation of access and other associated works.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

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PRINCIPLE OF DEVELOPMENT

The application site is situated within a Primarily Residential Area, therefore, the development is acceptable in principle. The development is therefore in accordance with UDP policy H5.

DESIGN, ACCESS AND LAYOUT

Policy CS19 (Design Quality and Accessibility in New Development) in the Core Strategy sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness and the identity and accessibility of new places. The NPPF identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The design of the building has been changed to reduce the width of the front projection and to make the front windows more consistent with the existing property. The dwelling is now considered to be of good design and compatible with the surrounding area, which is mixed in character. Whilst the dwelling would project forward of the adjoining property, it would project less than the terraced house to the east (number 6 Normandy Road) and would not be over dominant in the street scene.

Overall, the development is consistent with Core Strategy Policy CS19.

RESIDENTIAL AMENITY

Policy CS19 in the Core Strategy requires new developments to maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers.

The Amended New Residential Development Supplementary Planning Document (SPD) 2018, gives guidance on the separation distances that should be maintained between residential properties to ensure that harm is not caused to amenity by overshadowing, loss of privacy or through undue dominance. The SPD sets out that:

- 22m should be provided between existing rear principal elevations and proposed principal elevations for two storey properties
- 20m should be provided between the principle elevations of two storey properties
- 12m should be provided between the principal elevation of one property and the gable elevation of another, and
- properties should have a garden depth of at least 10m.

Existing Residents

In relation to 8 Normandy Road, the proposed dwelling will not project any further at the rear than the existing building. At the front the dwelling would project forward of 8, however the new dwelling would be stepped in near the boundary with 8. In addition, there are no main habitable room windows on the eastern part of 8 (only a porch), therefore there would not be any material loss of light/outlook to a main habitable room from the projection of the new dwelling.

In relation to 6 Normandy Road, the dwelling would project around 3.9 metres beyond the rear of 6, this is consistent with the Householder SPD which allows extensions of up to 4 metres. In

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

relation to the nearest ground floor window of 6, this is already obscured by the presence of a high wall and shed along the boundary, this means that there will not be a significant loss of light/outlook compared to the existing situation. In relation to the nearest first floor window of 6, this is set back slightly from the edge of the dwelling. The proposal complies with the 45 degree rule in relation to this window and would not result in material loss of light or outlook. Overall, there would not be significant loss of light or outlook to number 6. However, a condition will be attached to restrict permitted development rights to avoid over development of the site and harm to no 6.

It is considered that there will not be adverse impact on other neighbouring properties as these are further away.

Overall, the development will not harm the amenity of neighbouring properties. The development complies with Core Strategy Policy CS19.

Future Occupiers

The proposed dwellings would provide an acceptable level of amenity for future occupiers with all habitable rooms capable of being provided with a window that would ensure good outlook and light.

The proposed dwellings would also have sufficient garden space at the rear. Whilst the garden space would not be 10 metres in length it would be longer at the rear than the existing property of number 8 (7.23 metres long compared to 5.97 metres long for number 8). Therefore the length of garden would be consistent with the character of the area.

Overall, it is considered that the development will provide a good standard of amenity for future residents. The development complies with Policy CS19 of the core strategy.

HIGHWAYS

NPPF para 109 states that a development should only be refused on highways grounds if *“there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

2 Parking spaces are proposed at the property. The existing building of 8 would also have 2 parking spaces. This is considered sufficient to avoid increasing off street parking. This is supported by the council’s highways team who have no objection to the development subject to conditions.

Overall, there would not be significant harm to highway safety. Overall, the application complies with Core Strategy Policy CS7. Electrical vehicle charging points are required and can be secured via a condition.

WATER INFRASTRUCTURE

In relation to the presence of water infrastructure the applicant has been informed of the comments of United Utilities and it has been recommended that they liaise with them in relation to existing infrastructure within the site.

CONCLUSION

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

The development is acceptable in principle and would not cause harm in relation to highway safety, design, or the amenity of neighbouring properties. The proposed development complies with policies included within the Core Strategy (2016), Knowsley Replacement Unitary Development Plan (saved policies 2009) and National Planning Policy Framework (2019).

RECOMMENDATION:

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

- 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) Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

- a. Proposed Elevations (05) 002 - Rev P03 (Received 3/1/23).
- b. Existing and Proposed Ground Floor Plan (04) 001 – Rev P04 (Received 3/1/23).
- c. Location Plan (01) 001 - Rev P02 (Received 27/10/22).
- d. Existing and Proposed Site Plan (01) 003 – Rev P01 (Received 27/10/22).
- e. Existing and Proposed First Floor Plan (04) 002 – Rev P01 (Received 30/09/22).
- f. Design and Access Statement (Received 30/09/22).

Reason: For the avoidance of doubt.

Pre Commencement

- 3) Contaminated Land

A Phase I site investigation shall be submitted for written approval prior to works commencing in order to establish whether there are any concerns of contamination from the current or previous use of the site or adjacent sites. This report shall include the results of a desk study, site walkover, and human health and environmental risk assessment.

If identified as necessary by the desk study a Phase 2 site investigation and remediation proposals shall be submitted for approval prior to works commencing. In any event the applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site. A site completion report shall be submitted for written approval prior to occupation confirming that encountered site conditions were as expected and detailing any necessary remedial actions.

Reason: In order to protect human health and avoid contamination.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

Pre Occupation

4) Electric Vehicle Charging Points

The dwelling shall be occupied until an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space has been provided for the dwelling.

The chargepoint shall be:

- a) A minimum of 7KW, and
- b) at Least Mode 3 or equivalent,
- c) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

The EV charging point shall be clearly marked as such and their purpose explained to new occupants in any home welcome pack.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and NPPF Para 112.

5) Parking Implementation

No part of the development hereby consented shall be occupied until the parking provision shown on areas indicated on Drawing 22-023 (04)001 Rev P04 for both number 8 Normandy Road and the proposed dwelling, plus the associated footway crossing modifications have been provided to the satisfaction of the Local Planning Authority. The parking provision shall be hard surfaced, and shall not drain onto the highway.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016

Ongoing Conditions

6) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: In order to avoid harm to human health from contamination.

7) Importation of Soil/Material

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In order to avoid harm to human health from contamination.

8) Permitted Development

The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1 a,b,d and e) and or any amendments made to that Order, shall not apply:

- no extensions shall be carried out to the dwelling(s)
- no additions to the roof of the dwelling shall be carried out.
- no porch shall be erected.
- no buildings shall be erected within the curtilage of the dwellings

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: To avoid over development of the site and protect neighbour amenity from over development.

9) Hours of Construction/Demolition

No construction work, including demolition and deliveries to and from the site shall take place on the site except between the hours:

08.00 - 18.00 Monday to Friday;
08:00 - 13:00 hours Saturday.

No work shall take place on Sundays or on Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

<u>Signed Case Officer:</u>	<u>Andrew Hunt</u>
<u>Signed Authorising Officer:</u>	<u>Alan Kilroe</u>
<u>Date:</u>	<u>27/1/23</u>

INFORMATIVES

- 1) Merseyside Fire and Rescue – See Letter
- 2) United Utilities – See Letter There is water infrastructure within the vicinity of the site and United Utilities should be contacted. Water mains and water supply, including metering - DeveloperServicesWater@uuplc.co.uk
Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk
- 3) Highway Works

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction , improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

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Appendix 1 – Site Photographs



Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

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Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

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Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02
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