

<u>APPLICATION NO:</u>	21/00972/FUL	<u>CASE OFFICER:</u>	Mark Quinn
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	Millbrook Manor , Knowsley Lane, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF DWELLING AND ASSOCIATED WORKS		

Site Description

The site lies to the northern boundary of the Knowsley Village Conservation Area.

The application site forms part of the curtilage of Millbrook Manor comprising a significant amount of hardstanding which was used as a car park when Millbrook Manor was in use as a restaurant.

This part of the site was proposed to form part of the garden area to Millbrook Manor on the approved plans submitted for planning permission 16/00328/FUL. *(partial demolition, change of use and external alterations and erection of first floor extension, provision of mezzanine floor in roof space of former restaurant/function room to create 1 no. residential dwelling (use class c3) with existing first floor residential annexe to be retained together with external works including reinstatement of vehicular access off Knowsley Lane and associated landscaping and parking provision).*

The application site contains 11 mature and semi mature trees and a hedgerow to the Knowsley Lane site boundary. A group of existing trees to the east (within the adjacent Millbrook Manor site) would screen part of the application site from Old Meadow to the east.

Millbrook Manor (now in use as a dwelling) lies to the south.

Proposal

It is proposed to erect one detached dwelling. The dwelling would front Old Meadow, with the rear elevation facing towards Knowsley Lane. The vehicular access would be taken from Old Meadow in the same location as the existing access to Millbrook Manor.

Seven trees are proposed to be removed under this proposal.

Amendments have been secured to the application to remove the detached garage, reduce the footprint of the dwelling and the area of hardstanding and to amend the elevations of the dwelling to be more in keeping with the character and appearance of the Conservation Area. An indicative landscaping plan has also been submitted to include 13 replacement trees in mitigation for those to be removed.

Consultations

Knowsley Parish Council - No Comments Received

Arboricultural Officer - No objections subject to conditions securing tree mitigation and protective fencing

Conservation & Design Officer - Raised objections to original plans due to adverse impact on the conservation area and the setting of nearby listed buildings. (plans has subsequently been amended)

Cadent Gas Limited - No objections in principle

Merseyside Fire And Rescue Authority - No objections in principle

United Utilities Water Ltd - No objections in principle

Environmental Health - No objections in principle subject to a contaminated land remediation scheme and a construction management plan.

Highway Authority - No objections raised

Environment Agency – No objections in principle.

Representations

This application has been publicised by letters sent to 6 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

16/00328/FUL - PARTIAL DEMOLITION, CHANGE OF USE AND EXTERNAL ALTERATIONS AND ERECTION OF FIRST FLOOR EXTENSION, PROVISION OF MEZZANINE FLOOR IN ROOF SPACE OF FORMER RESTAURANT/FUNCTION ROOM TO CREATE 1 NO. RESIDENTIAL DWELLING (USE CLASS C3) WITH EXISTING FIRST FLOOR RESIDENTIAL ANNEXE TO BE RETAINED TOGETHER WITH EXTERNAL WORKS INCLUDING REINSTATEMENT OF VEHICULAR ACCESS OFF KNOWSLEY LANE AND ASSOCIATED LANDSCAPING AND PARKING PROVISION Granted September 2016.

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

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

CS24 - Managing Flood Risk

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

ENV2 - Noise and Vibration

ENV5 - Contaminated Land

DQ4 - Trees and Development

DQ5 - Development in Conservation Areas

H5 – Primarily Residential Area

National Planning Policy Framework

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

Principle of development

The application site is allocated as a primarily residential area within a conservation area on the Knowsley Local Plan Policies Map. A new dwelling house on this site would be acceptable in principle subject to the detailed planning matters discussed below.

Conservation/Heritage considerations

The site sits within Knowsley Village Conservation Area, which is subject to an [Article 4 Direction](#).

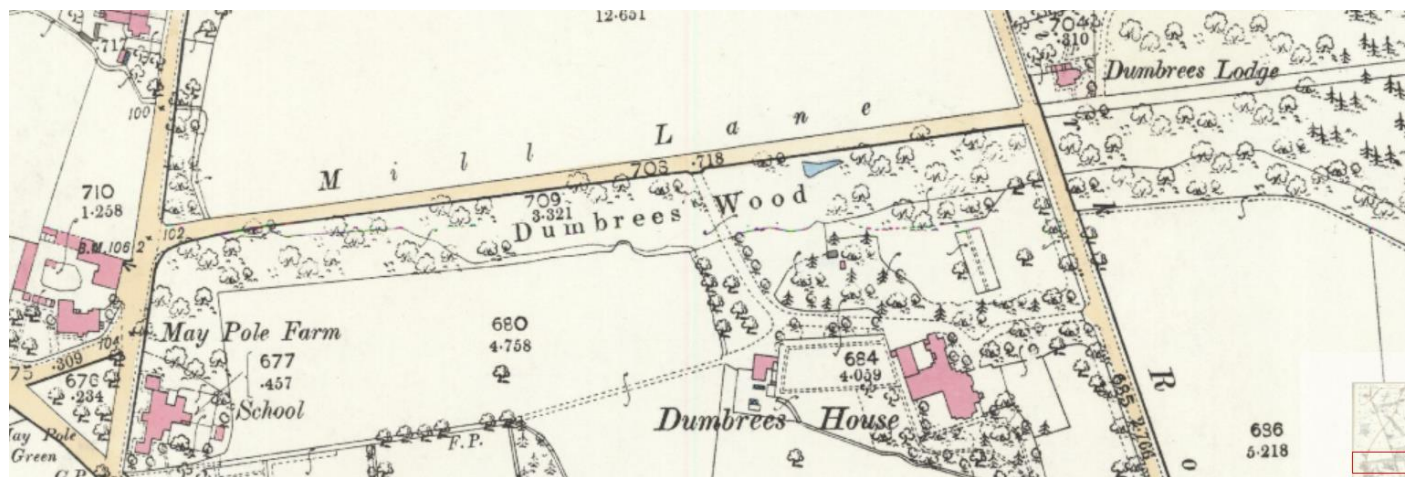
Listed buildings are nearby, in particular the development may affect:

- St Mary's Church (Grade II*)
- War Memorial (Grade II)
- The Old Vicarage, Tithebarn Road (Grade II)

The site is adjacent to the "Knowsley Triangle", or "Maypole Green". This is regarded as the key focal space in the village. The green is surrounded by historic buildings and structures of high quality and character, and itself contains the listed war memorial. The arrangement of roads, buildings and structures around the green forms a picturesque organised piece of

townscape. The historic buildings are varied in age and character, but there are shared themes such as the gothic detailing, the copious use of red sandstone, and their relationship to the triangular green.

The treed corner is additionally important as historically it formed part of the designed treed edge (enhancing the Mill Lane approach to Knowsley Park at the Dumbrees Lodge Entrance. (This extension of the designed landscape outside of the formal parkland is seen on several entrances to the Park). Although this land no longer part of the Dumbrees House curtilage, it remains heavily treed and visually merges with Dumbrees Wood, which is now part-managed as a community woodland and continues to enhance the entrance to Knowsley Park at Dumbrees Lodge.



Excerpt from 1892 OS

The proposed development as amended has been altered significantly since the original proposal to take account of the concerns initially raised by the Conservation Officer who considered the original scheme to be detrimental to the Conservation Area and the setting of nearby listed buildings. The improvements to the scheme include:-

- Removal of detached garage
- Dwelling footprint reduced and re-orientated (in line with Millbrook Manor)
- Glazing bars added to windows
- Rendered areas omitted replaced with brickwork
- Artstone details added to openings
- Chimney height increased and more detail added
- Decorative bargeboards added
- Triangular pikes added above windows
- Stone surround added to feature windows
- R/W goods to be black aluminium
- Grey aluminium windows
- Sandstone copings to parapet
- Reclaimed common blend brick proposed
- Red engineering brick to chimney
- Laurel & Hawthorn bushes proposed to boundary

- Tree mitigation increased
- Driveway reduced in size and surfaced in permeable block pavior
- Rear and side elevation amended to remove conservatory and large windows and replace with traditional windows.

The revised scheme is considered to preserve the character and appearance of the conservation area and would not cause any harm to the conservation area or to the setting of the nearby listed buildings. The proposal would not be detrimental to the street scene or the surrounding area. The scale, massing and height are considered appropriate for this site taking into account the surrounding buildings. Whilst this part of the Millbrook Manor site was originally intended to be retained as a private garden space to Millbrook Manor (under Planning Permission 16/00328/FUL) on balance it is considered that both the proposed dwelling and Millbrook Manor would have adequate private amenity spaces taking account of the existing plots sizes in the area which vary considerably in size. The dwellings to the west of the application site in Maypole Court (also within the Conservation Area) have a plot size and private amenity space comparable with the proposed dwelling.

The proposal would therefore be in compliance with Local Plan policy CS20, saved UDP policy DQ5 and guidance in NPPF.

Residential Amenity

The separation distances between the proposed dwelling and Millbrook Manor to the south and 8 Maypole Court to the west would be a minimum of 22m between main habitable rooms. The proposed dwelling would therefore not have any adverse impact on the privacy of neighbouring occupiers and would be in compliance with Appendix 4 in the New Residential Development SPD.

The proposed dwelling would have areas of private amenity space to the front rear and side (north) of the dwelling which are considered to be adequate.

The days/hours of construction for the new dwelling can be secured by way of planning condition to minimise noise and disturbance to neighbours.

The proposal would therefore be in compliance with Local Plan policy CS19 and saved UDP policy H5.

Highway Safety

The wider site (containing Millbrook Manor) is currently accessed from Old Meadow which is a private drive serving 5 dwellings. The access to the proposed dwelling would utilise the existing site access. Given the driveway access width (5.5m) and the width of Old Meadow (4.5m), as well as the likely low pedestrian footfall, the proposed access is acceptable. Hardstanding for at least 3 off street parking spaces would be provided which would be in accordance with the maximum car parking standards in the Ensuring a Choice of Travel SPD.

In the interests of aiding vehicles delivering to the property (to mitigate the need to reverse onto / off Old Meadow), a planning condition will be recommended to restrict the use of gates.

The proposal would be in compliance with Local Plan policies CS7 and CS19.

Trees

This application proposes to remove 7 trees either as a direct result of the development or the condition of the trees. In addition 6 trees are proposed to be removed from the adjacent Millbrook Manor site (which is in the applicant's ownership).

The applicant has submitted an indicative landscape drawing showing 13 replacement trees but has not confirmed sizes or species or initial establishment/maintenance details. Providing that the tree mitigation comprises 13 trees at 20-24cm girth then this would be acceptable to mitigate against the tree loss for both the current application and 16/00328/FUL. This tree mitigation and detailed landscaping scheme can be secured by planning condition.

A planning condition would also be required to secure the protective fencing is in place around the existing trees to remain, prior to the commencement of development. This can be secured by way planning condition.

Subject to the tree mitigation the proposal would be in compliance with saved UDP policy DQ4.

Surface Water Drainage

The applicant has submitted a drainage report for the site which confirms that the final outfall of the surface water is to the nearby watercourse.

United Utilities have raised no objections to this proposal subject to the drainage being carried out in accordance with the approved plans and the surface water must drain at the restricted rate of 5l/s.

The Environment Agency has subsequently been consulted and has raised no objections in principle.

Contaminated Land

Due to historical use as a farm and tanks associated with the adjacent old school, potential contamination could exist. A contaminated land risk assessment has been submitted which is considered to be acceptable, however a remediation strategy is still required which can be secured by way of a pre commencement planning condition.

Conclusion

The design and appearance of the amended scheme is considered to be appropriate for the Conservation Area subject to the approval of materials, window details etc. The tree loss is considered to be acceptable subject to appropriate mitigation planting. The proposal would be acceptable in terms of highway safety and drainage subject to appropriate planning conditions.

The proposed dwelling would be in compliance with the saved UDP and Local Plan policies listed above.

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.

- 3) Notwithstanding the details submitted no above ground construction works shall take place until samples and / or full specification of materials and finishes to be used externally on the dwelling for all features have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour, texture or finishes of the materials. No reconstituted materials or upvc will be accepted. The development shall be carried out only in accordance with the agreed schedule of materials and finishes.

Reason: To preserve the character and appearance of the Knowsley Village Conservation Area. In the interests of visual amenity and to comply with Policies CS19 and CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved policy DQ5 in the Knowsley Replacement Unitary Development Plan adopted June 2006 and the National Planning Policy Framework.

- 4) Notwithstanding the details submitted no above ground construction works shall take place until large scale elevational and sectional details for the proposed windows are to be submitted to and agreed in writing by the Local Planning Authority. The windows shall be installed in accordance with the approved details and retained as such thereafter.

Reason: To preserve the character and appearance of the Knowsley Village Conservation Area. In the interests of visual amenity and to comply with Policies CS19 and CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy DQ5 in the Knowsley Replacement Unitary Development Plan adopted June 2006 and the National Planning Policy Framework.

- 5) Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- b) hard surfaced areas and materials,
- c) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- d) existing plants / trees to be retained

- e) A tree mitigation scheme comprising a minimum of 13 replacement trees of a minimum size of 20-24cm girth
- f) A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates or within the first available planting season following the first occupation of the dwelling.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development, the existing trees to be removed and to comply with Saved Policies DQ4, DQ5 & H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policy CS19 & CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 6) No part of the development hereby permitted shall be commenced until at least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in the submitted Tree Survey report received 24/11/2022 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 7) Prior to the first occupation of the dwelling hereby permitted it shall be provided with an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space.

All chargepoints shall be:

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

All EV charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome park/travel planning advice

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 110.

- 8) No gates or other obstruction shall be placed across the vehicular access.

Reason: In the interests of highway safety and to ensure compliance with Policies CS7 & CS19 in the Knowsley Local Plan Core Strategy , adopted January 2016.

- 9) Prior to the first occupation of the dwelling hereby permitted precise scheme details of bin storage area and covered cycle store (to accommodate 2 cycle spaces) shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall provide measures for the storage of the requisite number of bins per dwelling and accommodation for home composting facilities.

The bin storage area/cycle store shall be sited and constructed in accordance with the agreed details before the dwelling hereby approved is first occupied and shall be retained thereafter at all times that the development is occupied.

Reason: In the interests of visual and residential amenity and having regard to saved policies CS7, CS19 of the Knowsley Local Plan Core Strategy and Policy WM 9 of the Joint Waste Local Plan 2013.

- 10) No dwelling hereby approved shall be occupied until details of full fibre broadband connections to all proposed dwellings within the development has been submitted to and approved in writing by the Local Planning Authority. The infrastructure shall be installed prior to occupation and made available for use immediately on occupation of any dwelling in accordance with the approved details.

Reason: To ensure that every dwelling has a full fibre broadband connection in accordance with paragraph 112 of the National Planning Policy Framework.

- 11) The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted proposed site plan, Drg 04 Rev B , received 03/02/2023. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. Prior to occupation of the proposed development, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding to ensure compliance with Policy CS24 in the Knowsley Local Plan Core Strategy, adopted January 2016.

- 12) A. Land Contamination (Submission of Remediation Scheme).

No development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

B. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented, and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

C. 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.

D. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, carried out in line with the CL: AIRE code of practice and signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials do not result in increased risk to the environment or human health.

E. Importation of Soil/Material

No topsoil 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 the interests of safety, to prevent pollution of the water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 13) During the construction period no works shall take place outside the hours of 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays, Bank

Holidays or Public Holidays except with the prior written permission of the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
03/02/2023	DRG 01 REV B	-	PROPOSED GF LAYOUT
03/02/2023	MILLBROOK MANOR TCP REV 1	-	SITE LOCATION PLAN
03/02/2023	DRG 02 REV B	-	1ST FLOOR AND LOFT PLANS
03/02/2023	DRG 04 REV B	-	PROPOSED SITE LAYOUT PLAN
03/02/2023	DRG 03 REV B	-	PROPOSED ELEVATIONS
24/11/2023	TCP REV 1	-	TREE PROTECTION PLAN
24/11/2023	TRP V 2	-	TREE RETENTION PLAN
24/11/2023	TCP REV 1	-	TREE CONSTRAINTS PLAN
24/11/2023	REV 1	-	TREE SURVEY REPORT
28/12/2023		-	DRAINAGE CCTV REPORT
13/02/2024		-	DRAINAGE REPORT – DYE TEST
28/12/2023		-	DRAINAGE PROJECT REPORT

Signed Case Officer¹:

Mark Quinn

**Signed Authorising
Officer²:**

K Foster

Date:

5 April 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.

Informatives

- 1 The applicant/developer is requested to contact the Councils Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site.
- 2 Please see the attached consultation responses from CADENT, United Utilities (response dated 22/02/2024), Environment Agency & Merseyside Fire Authority.

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

- 3 The applicant is reminded that it is an offence to allow material carried from the site to be deposited on or cause damage to the public highway as a result of dirty wheels or badly loaded vehicles. Should this occur, the Council as Local Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute offenders under Sections 131, 148 and 149 of the Highways Act 1980

Appendix 1 – Site Photographs















