

Regeneration and Economic Development Department

APPLICATION NO: 21/00184/FUL

APPLICANT: Taylor Wimpey

WARD AFFECTED: Whiston and Cronton

DEVELOPMENT: ERECTION OF A SINGLE STOREY TEMPORARY SALES AREA CABIN TOGETHER WITH CAR PARKING, LIGHTING BOLLARDS AND ASSOCIATED SIGNAGE

LOCATION OF SITE: Fox's Bank, Halsnead Garden Village, Land West Of Fox's Bank Lane And North Of M62, Whiston, Knowsley, L35 3SS

KNOWSLEY LOCAL PLAN ALLOCATION –

Sustainable Urban Extension – South of Whiston

RELEVANT POLICIES

National Planning Policy Framework (2019)

Planning Practice Guidance (2014) DCLG

Knowsley Local Plan: Core Strategy (2016)

SD1 - Sustainable Development

CS1 - Spatial Strategy for Knowsley

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS20 – Managing the Borough’s Historic Environment

CS21 - Greenspace and Trees

CS22 – Sustainable and Low Carbon Development

CS24 - Managing Flood Risk

CS26 - Waste Management

SUE1 - Sustainable Urban Extensions and Safeguarded Land

SUE2 - Sustainable Urban Extensions Development Principles

SUE2c - Sustainable Urban Extension – South of Whiston and Land South of the M62

Knowsley Replacement Unitary Development Plan (Saved Policies 2009)

G3 – Agricultural Land

T7 –new Development and Walking & Cycling Routes

T10 – Access for the Less Mobile

DQ2 - Security in the Built Environment

DQ4 - Trees and Development

ENV2 - Noise and Vibration

ENV3 – Light Pollution

ENV5 - Contaminated Land

The Joint Merseyside and Halton Waste Local Plan (2013)

WM8 - Waste Prevention and Resource Management

WM9 - Sustainable Waste Management Design and Layout of New Development

Adopted Supplementary Planning Documents (SPD)

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

Trees and Development SPD (2016)

Halsnead Garden Village Masterplan SPD (2017)

Halsnead Design and Local Distinctiveness Guide

TECHNICAL CONSULTATIONS:

Highways – No objections

Environmental Health – No objections

St Helens Council – No objections

Whiston Town Council – no comments received.

NEIGHBOUR NOTIFICATION:

This application has been publicised by the posting of a site notice and sending letters to neighbouring properties. No representations have been received.

ARTICLE 35

The LPA has acted positively and proactively in determining this application by assessing the proposal against all material considerations including planning policies and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out within the NPPF.

ISSUES AND ASSESSMENT:

SITE DESCRIPTION

The application site consists of land at Cherry Tree Farm including the farmhouse itself and the adjacent barns as well as a small area of agricultural land which is accessed off Fox's Bank Lane. The land is in the process of being developed in accordance with planning permission reference 20/00417/FUL which is a housing development with associated works and open space infrastructure.

PROPOSAL

The proposal is for the erection of a temporary sales office with temporary car parking and associated works, and provision of a temporary show home on plot 2; this temporary show home will be located to the south of the access road. The applicant intends to remove the temporary sales office and build a 'permanent' sales office and show homes to the north of the access road, with the car park retained to serve the 'permanent' show home/sales office. This would be the phase 2 sales office and show home proposal. This allows the developer to accommodate the phased build out of the site with Cherry Tree Farm not being vacated immediately. Once plots 247-250 are built as the show home/sales office (the design of the homes of which are already consented under 20/00417/FUL) it is proposed that the sales cabin will be removed from the site. The car park, however, to the north of the access road will remain and this phase 2 layout will allow customers to visit the site, view the show home and go to the sales office without having to cross the access road. The proposal also includes a footpath which directs customers up to the show home area.

The proposal also includes uplighters for the show homes and sales office, bollard lighting, fencing and hard landscaped areas to provide access to the show homes from the car park. One electric vehicle charging point is also proposed within the car park to the north of the access road.

POLICY CONSIDERATIONS

Relevant policies are policies SD1, CS1, CS2, CS19, CS20, CS21, CS24, CS26, SUE1, SUE2 and SUE2c of the Local Plan Core Strategy (2016) and saved policies G3, T7, T10, DQ2, DQ4, ENV2, ENV3 and ENV5 of the UDP (2006), together with Supplementary Planning Documents, specifically the Halshead Garden Village Masterplan SPD and the NPPF.

The application site lies within an allocated site for housing and employment development as well as a country park. Policy SUE2c 'Sustainable Urban Extension – south of Whiston and Land south of the M62 allocates the application for housing development. The application is for a temporary sales office and car parking which would facilitate the delivery of an application granted planning permission for the

construction of 350 houses with associated works on a wider parcel of land at HGV, including the application site (planning reference 20/00417/FUL). It is considered that the development would be in compliance with the relevant Local Plan Core Strategy policies and the saved policies in the Replacement Unitary Development Plan listed above.

DESIGN, ACCESS AND CRIME PREVENTION

The proposal seeks to use the access that has been granted planning permission in connection with the consented housing development for 350 houses. The temporary cabin is simple in construction with a flat roof. The design, being only temporary in nature, will be partly screened and is not considered to be harmful to visual amenity. The design is considered to be acceptable subject to a condition requiring the cabin to be removed within 18 months of the date of the permission (which will be when the show home/sales office plots are completed). The applicant has confirmed that the sales office will only need to be in place for 18 months whilst the car park serving the 'permanent sales office/show home plots will need to be in place for 7 years.

It is recommended that a condition is imposed to ensure the sales cabin is temporary and is removed from the site in 18 months. Additionally it is recommended that the car park and associated works are removed and the site returned to its original state, or in accordance with any extant consent excluding this permission) within 7 years from the date of the permission. This is considered to be a realistic timeframe using a build rate of 50 dwellings per year. A condition is also recommended requiring further details of the materials. Subject to these conditions, it is considered that the proposal is acceptable in design terms and as such the proposal is considered to comply with policies CS2 and CS19 of the Knowsley Core Strategy.

In terms of crime prevention, the proposal introduces lighting and increased numbers of visitors which will increase natural surveillance in the area. The proposal is considered to comply with policy DQ2 of the Knowsley UDP.

HIGHWAYS

The proposal utilises the existing site access which received planning permission under 20/00417/FUL. The Council's highways engineer has raised no objections to the proposal. All proposed parking spaces are considered to comply with parking standards. Aisle widths are considered to be sufficient to allow vehicles to manoeuvre safely.

Subject to the proposal being laid out in accordance with the approved plans, it is considered that the proposal would have no adverse impact on highway safety or other forms of public safety in accordance with Policy T7 of the UDP and policy CS2 of the Core Strategy. It is noted that a EVCP is also proposed within the car park to the north of the access road. This is welcomed. Due to the temporary nature of the car park, it is not considered that a condition is imposed to secure delivery of the EVCP as it is considered unreasonable to expect the cabling infrastructure etc to be put in place for a temporary car park. In coming to this view regard has been given to the NPPF and policy CS22 of the Core Strategy.

RESIDENTIAL AMENITY

The proposal is located within the sustainable urban extension – South Whiston allocated site. The sales office and car park will be initially sited to the north of the access road with the show home to the south on plot 2. The more permanent sales office and show home buildings together with the car park will both be to the north side of the access road. There is one neighbouring property (Cherry Tree Farm) within very close proximity to the site which will be vacated and demolished both to accommodate the long term show homes and sales office and to accommodate the proposed housing development. Cherry Tree Farm will be occupied for the duration of the construction of the first phase and possibly part of the second phase so the car park will be in use whilst Cherry Tree Farm is still occupied. However, the proposal is that Cherry Tree Farm will be demolished and this will need to happen to accommodate the full phase 2 arrangement. There are other residential properties that lie to the north and south of the site, although these are a distance of approximately 92metres due north to curtilage of The Lodge (c125m to the façade) and approximately 85mm due south to Snape Gate Barn's most northerly curtilage and a further c55m (c140m to the property façade).

The impacts on residential amenity are considered to be acceptable having regard to the siting of the car park and cabin. Whilst the car park is likely to have minor noise impacts on the adjacent Cherry Tree Farm, these are not considered to be so adversely harmful given the scale of the proposal and the intention for the farm house to be demolished to accommodate the development.

Noise impacts, privacy, dust, loss of light and general disturbance impacts are considered to be acceptable. The proposal involves the erection of a series of bollards and lighting which are considered to be acceptable subject to a lighting condition being imposed to protect residential amenity and protect biodiversity. The Environmental Health Team also raised no objections to the proposal. As such, and having regard to the temporary nature of the proposal, the development is considered to comply with policies CS2 of the Local Plan Core Strategy and policies ENV2 and ENV3 of the Knowsley UDP.

OTHER ISSUES

The site was assessed under the full application 20/00417/FUL which was for the erection of 350 houses, which has now been issued, and appropriate mitigation measures have been secured through this permission. Part of the site is in the location of a barn that was found to have a bat roost; the residential permission dealt with this roost and recommended mitigation. Mitigation was also agreed in relation to bats and trees as well as ensuring appropriate mitigation for archaeology. A condition ensuring no vegetation is removed during bird nesting season forms part of the main housing permission reference 20/00417/FUL. is recommended but the other biodiversity and landscaping/tree mitigation will be secured under the residential permission. Subject to the above conditions, it is considered that the proposal complies with policies CS2, CS21, CS20 and SUE2 of the Core Strategy and DQ4 of the UDP.

In relation to the siting of the cabin and its proximity to the estate wall and the two listed buildings, the heritage statement submitted with the full permission outlined the impacts of the wider housing proposal on both the Lodge, the gate piers, Snape Gate Barn, more peripheral listed buildings and non designated heritage assets including the Halsnead Park estate wall and the Halsnead Park landscaped area. Less than significant harm was identified which was considered capable of being overcome subject to various mitigation measures including design, landscaping and improvement works to the estate wall including rebuilding it in parts, repairing the wall and carrying out maintenance works and removal of some of the vegetation. It is considered that the application site is sufficiently far enough away from the listed buildings directly to the north and south and a HIA would not need to assess the impacts on these assets and their settings given the nature and scale of the proposal and its distance from these heritage assets. Nevertheless, the wider development will require substantial mitigation including to ensure the estate wall is 'made good' and this was considered in part to override any harm to the listed assets and the non-designated heritage assets. The requirement for the housing consent to be implemented prior to the works hereby permitted being carried out will secure the estate wall improvements and repair work. A detailed condition on the 20/00417/FUL consent sets out the requirements in this regard and seeks for the wall to be protected during works.

For this consent, there will be minor impacts of the development on the setting of the estate wall and on the actual wall itself as parts will need to be removed to create the access. The Halsnead estate wall is identified as a non-designated heritage asset. The requirements set out in the NPPF state that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. The scale of any harm or loss to the asset will also need to be taken into account. The application will not result in the loss of any non-designated heritage asset beyond the application already consented under 20/00417/FUL. As the works are facilitating works to secure delivery of the housing scheme, it is considered that the benefits associated with housing delivery and the associated improvements to the estate wall in connection with the new housing are benefits that significantly weigh in favour of the development. Subject to the wall protection measures being put in place (which forms part of the 20/00417/FUL requirements), the proposal is considered to comply with policy CS20 of the Core Strategy and the NPPF.

It is recommended that a condition is imposed requiring the use of an oil interceptor to ensure that the car park is drained without polluting the local environment in accordance with policies CS2 and CS24 of the Local Plan Core Strategy.

Finally it is noted that this permission does not relate to the erection of the houses of plots 347-350 as these already have consent under the full permission. However, the sales office does include a large glazed entrance at ground floor level which forms part of this permission. This should revert to the original openings granted under 20/00417/FUL once the sales office becomes a residential dwelling at the end of the sales period. Regard has also been given to the extensive permitted development rights that exist for development enabling works under the permitted development regime.

CONCLUSION & REASON FOR DECISION

The proposal is considered to be acceptable in terms of its design, appearance, impacts on designated and non-designated heritage assets and impacts on highway safety. The proposal would also have acceptable impacts on visual amenity. The improvements to the estate wall and the fact that this proposal facilitates delivery of housing across HGV are considered to outweigh any harm to the non-designated heritage asset and regard to the minor extent of harm/loss to the estate wall has been considered in coming to this view. As such the proposal is considered to comply with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF. In facilitating the delivery of the housing across this parcel of land within HGV, the proposal is considered to accord with the principles behind the HGV Masterplan SPD.

RECOMMENDATION:

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

- 1) The development granted full planning permission 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) Prior to the erection of the temporary sales cabin, full specification of materials and their external finishes shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the development complies with the National Planning Policy Framework (2021), Policies CS2, CS19, SUE2 and SUE2c of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Halsnead Garden Village Masterplan SPD, adopted June 2017.

- 4) The parking layout and access route hereby permitted shall be laid out in accordance with the approved plans prior to the car park being brought into use. The parking provision shall not be used for any other purpose other than the parking of vehicles and shall be hard surfaced in accordance with the hard surfacing details on the approved plans.

Reason: In the interests of highway and pedestrian safety and to comply with Policies CS2, CS19, SUE2, SUE2C and CS7 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework.

- 5) Prior to the erection of any lighting within the development hereby permitted, a scheme for provision of lighting including lux levels and degree of light spillage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented as approved.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of the safety, to protect residential amenity and to protect biodiversity. This condition has been imposed having regard to policies CS2, CS19, CS21 and SUE2 of the Knowsley Local Plan Core Strategy 2016.

- 6) This permission for a temporary sales cabin, temporary car park and associated works is for a limited period only. The sales cabin hereby permitted shall be removed from the site within 18 months of the date of this permission and the land shall be used as a temporary car park in accordance with plan reference 20285 TSA 02 Rev N (or developed in accordance with a scheme permitted under any other extant permission excluding this permission). The car park, any foundations, structures, hardstandings/grasscrete, accesses, dropped crossings, enclosures, ancillary works or other groundworks associated with the car park and sales cabin shall be removed and the land restored to its former condition (or the use/condition of the land permitted under any other extant permission excluding this permission) within 7 years of the date of this permission.

Reason: To enable the construction of the show homes whilst facilitating the delivery of the housing scheme in a phased manner, in the interests of visual amenity and to allow the LPA to re-assess any application for a temporary building. This condition has been imposed having regard to policies SUE2, CS19 and CS2 of the Knowsley Local Plan Core Strategy (2016).

- 7) Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from car parks and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.

Reason: To prevent pollution of the water environment, and to comply with Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy, adopted 2016.

SCHEDULE 1

Date Received	Ref. No	Version
03/03/2021	20285 SLP 01	-
17/07/2021	LGCHA042	A
15/07/2021	NB31-7-SALES1	A
15/07/2021	NB31-7-SALES2	A
03/03/2023	20285-TSA-01	K
03/03/2023	20285-TSA-02	N
03/03/2023	20285-TSA-03	J
17/07/2021	LGCHA014	-

Informatives

- NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;
- 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

Clare Appleyard

7 March 2023