

Regeneration and Economic Development Department

APPLICATION NO: 18/00283/NMA2 **APPLICANT:** Bloor Homes North West

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT:

NON-MATERIAL AMENDMENT TO PERMISSION 18/00283/HYB TO AMEND THE LOCATION OF PLOTS 64 AND 65

LOCATION OF SITE:

Land North Of M62 Motorway, Off Windy Arbor Road, (Halsnead), Whiston, Knowsley, L35 1RB

KNOWSLEY LOCAL PLAN ALLOCATION

Sustainable Urban Extension - Sustainable Urban Extension

RELEVANT POLICIES

As per the principal permission

TECHNICAL CONSULTATIONS:

Whiston Town Council - No Comments Received

NEIGHBOUR NOTIFICATION:

There is no statutory requirement to publicise NMAs. 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 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 NPPF.

EQUALITIES ACT 2010

In formulating a recommendation on this application, the Local Planning Authority has considered the requirements of S149 of the Equalities Act 2010. Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In this case the proposed non-material amendment proposal is not anticipated to have any potential impact from an equality perspective.

SITE

The application site forms the western part of Halsnead Garden Village (Halsnead) north of the M62. The site comprises a small area of arable field. Windy Arbor Road and residential development lies to the west and north, woodland lies to the east and beyond this, lies Big Water Lake and Halsnead Park mobile home site. Access to the site lies to the west off Windy Arbor Road and Main Drive to the north-east.

APPROVED DEVELOPMENT

The application seeks non-material amendments to a full planning permission granted in March 2021. The full planning permission gives approval for the following:-

Hybrid application comprising full application for erection of 123 no. dwellings, construction of vehicular/pedestrian accesses, laying out of public open space and associated works;

Outline application for erection of up to 237 no. dwellings, car park and associated works (access into site to be considered- all other matters reserved for future approval).

Access to the site has been approved from a signal-controlled junction on Windy Arbor Road. The wider development is currently being built out with the access into the site having already been constructed and a number of the properties built.

PROPOSAL

NON-MATERIAL AMENDMENT REFERENCE 18/00283/NMA2.

This application seeks approval of the following: NON-MATERIAL AMENDMENT TO PERMISSION 18/00283/HYB TO AMEND THE LOCATION OF PLOTS 64 AND 65 together with minor amendments to the siting/layout of the substation and gas governor.

NON-MATERIAL CONSIDERATIONS

This non-material amendment application seeks to make minor changes to the siting of plots 64 and 65 which have been repositioned and the parking realigned to provide sufficient space to the side of plot 64 to accommodate a drain that runs alongside this plot. The proposed changes would not materially impact beyond any site boundaries nor would the changes materially impact on visual amenity, character of the area, residential amenity impacts, parking standards, highways impacts and landscape impacts beyond the principal permission. In coming to this view regard has been given to the siting of residential properties which are a substantial distance away from the proposed plot changes and the numerous intervening features between plots 64 and 65 and the nearest residential property. The non-material amendment plot repositioning includes the site layout plan,

an updated materials layout plan relating to plots 64 and 65, an updated boundary treatment plan relating to plots 64 and 65 only to reflect the minor repositioning of the plot boundaries.

The proposal also includes slight changes to the layout/siting of the gas governor and substation. The proposed minor re-siting revisions are considered to be non-material in nature. When considering the scale of the proposed amendments in relation to the overall scheme, they are considered to be non-material.

POLICY CONSIDERATION

The application complies with the policies of the Knowsley Core Strategy, Replacement Unitary Development Plan and the NPPF. The proposal is considered to align with the Supplementary Planning Guidance and Documents, in particular the Halsnead Garden Village Masterplan SPD. Regard has also been given to the Design Guide.

ACCESS AND CRIME PREVENTION

The proposed changes would have no material impact on the previously approved access nor would there be any detrimental impacts from a crime prevention perspective.

HIGHWAYS

The proposed amendments will not materially impact on parking or internal site movements, nor on highway safety in general, when compared with the existing approved scheme. A condition to ensure that the hedge is no higher than 0.6m in the visibility splay is advised in the interests of highway safety.

RESIDENTIAL AMENITY

There are residential properties beyond the northern/north-western boundary adjacent to Windy Arbor Road (and to the north of the proposed access road). However, the proposals will not materially impact upon the residential amenities of local residents greater than the existing approved scheme and having regard to the fact that the site is located a comfortable distance away from the nearest residential property (approximately 144m away).

18/00283/NMA2 CONCLUSION

The proposals are considered to be non-material amendments and would be acceptable in terms of visual impact, highways impacts, design, residential impacts and local amenity impacts.

COMBINED IMPACT OF NMAs (18/00238/NMA and 18/00283/NMA2)

There have been one previous NMA for this site (reference 18/00283/NMA). It is noted that the variation to the approved materials including the introduction of a half render to certain house types from plot 38 onwards has been included in the first NMA (18/00283/NMA) and as such 18/00283/NMA1 has been withdrawn to simplify matters). The first NMA sought to amend the brick types proposed for the dwellings as well as introducing a half rendered approach to some of the rendered house types, and sought approval for a number of plot substitutions which are listed below:

- Plot 1 amended from Shirley to Langley;
- Plot 2 amended from Langley to Wyatt;
- Plot 3 amended from Brook to Lawrence;
- Plots 5 and 28 amended from Brook to Burns;
- Plots 33 and 34 amended from Milton to Makenzie;
- Plots 18, 32 and 37 amended from Lyttleton to Lawrence.

The first non-material amendment (18/00283/NMA) also sought approval to implement a half rendered approach to the previously approved full rendered dwellings from plot 38 onwards. The brick types approved under the first NMA were a red multi brick type which were considered to be in keeping with the character of the area. The first NMA was considered to result in non-material changes to the principal permission.

When taking the above proposed changes in combination with this second NMA (18/00283/NMA2) which seeks to amend the siting of two plots to accommodate the location of a drain run and minor siting changes to the substation/gas governor, it is considered that the in combination impacts of both non-material amendments still results in changes that are considered to be non-material in nature. The proposal, incorporating all the first NMA would not have impacts that would result in material changes over and above the principal permission when considered alone and in combination, having particular regard to visual amenity impacts, residential amenity impacts, highways impacts, landscape impacts and additional environmental impacts. As such it is considered that this non-material amendment be approved.

RECOMMENDATION:

- 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.
- 2) The height of any hedge within the visibility splay shall not exceed 0.6m in height.

Reason: In the interests of highway safety, having regard to the National Planning Policy Framework (2019), Policies SUE2, SUE2c, CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy T7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
14/02/2022	NW056-PD-1001	-	Site Layout
14/02/2022	NW056-PD-1004	-	MEANS OF ENCLOSURE FOR PLOTS 64 AND 65
13/06/2022	NW056-PD-1007 A	-	MATERIALS SCHEDULE FOR PLOTS 64 AND 65
14/02/2022	NW056-PD-1002	-	LOCATION PLAN

Informative

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 the non-material amendment application for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Clare Appleyard 12 September 2022

Alan Kilroe

27 September 2022