

Regeneration and Economic Development Department

APPLICATION NO: 22/00282/FUL
Limited

APPLICANT: TJ Thomas Estates Group

WARD AFFECTED: Page Moss

DEVELOPMENT: ERECTION OF 1NO TWO STOREY DETACHED DWELLING (AMENDMENT TO PREVIOUS APPLICATION 21/00255/FUL)

LOCATION OF SITE: 81 Dinas Lane, Roby, L36 2NN

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Development

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

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

H5 - Development within Primarily Residential Areas

DQ4 - Trees and Development

TECHNICAL CONSULTATIONS:

Highway Authority - No objections.

Environmental Health – No objections in principle.

Arboricultural Officer - No objections.

Merseyside Fire And Rescue Authority - No objections in principle.

United Utilities Water Ltd - No objections in principle.

NEIGHBOUR NOTIFICATION:

This application was publicised by letters sent to 65 neighbours. No representations have been received.

ARTICLE 35

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 site comprises of garden area to the side of a house on Dinas Lane.

The surrounding area is characterised by two storey semi-detached and terraced housing and there is a parade of shops on the opposite side of the road fronting Page Moss Parade service road. However, the adjacent dwelling, 83 Dinas Lane, and the dwellings erected in what was the rear garden of that property, are bungalows. Most dwellings are brick but there are some which are rendered.

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The proposal is an amended scheme to a similar application approved on 6 August 2021 (21/00255/FUL). The application is for the erection of one detached house together with a vehicular access from Dinas Lane, and associated garden area to the south east of the existing house. The ground floor would comprise of a porch with W.C off, lounge, kitchen/diner and small hall with stairs off; to the first floor would be three bedrooms, one with en-suite, bathroom and store cupboard. The proposed house would have a Leicester Bradgate Red brick base to the bottom of the ground floor windows with the remainder of the walls being of white textured render. The roof would be of smooth grey tiles and pitched. Windows would be uVPC with grey coloured frames.

The property would provide in-curtilage parking for 2 vehicles at the front of the property together with a grassed area. A new vehicular access is proposed to serve the new house. Private amenity garden space would be provided to the rear of the property.

The main differences between the approved dwelling and that proposed are as follows:-

1. Width reduced from 6.4m to 5.75m;
2. Provision of porch and W.C for the proposed dwelling (the approved house had a canopy), and;
3. Internal layout – the approved house had a larger hall and smaller lounge proportionally than that now proposed, whilst the W.C is now proposed off the porch not under the stairs.

POLICY CONSIDERATIONS

The application complies with the above planning policies.

DESIGN, ACCESS AND CRIME PREVENTION

The design of the proposal is acceptable and would not be detrimental to the street scene or the visual amenity of the area. The building would align with the house to the south east, and the building line would follow that line of building, which would be acceptable in the street scene. The existing house and adjoining property would be angled slightly away, and the next pair angled away again as the houses follow the curve in the road.

The outlook of the existing house would not be any more affected by the revised scheme than the previously approved house, and the same is true with regard outlook of the neighbouring bungalows.

The proposed house would have views over the proposed rear gardens and the street like other such properties, with a window to a landing facing 81 Dinas Lane on the gable. As such, the outlook for the future occupiers of the proposed house would be acceptable. No crime or anti-social behaviour issues are raised by the proposal.

Therefore, the application complies with Policies CS2 and CS19 of the Core Strategy and saved Policy H5 of the UDP.

HIGHWAYS

The front boundary wall is shown as 0.6m in height and two parking spaces are proposed to the side and front of the house, which accords with the Council's parking standards. A pedestrian visibility splay of 2m x 2m is shown. The existing telephone service street cabinet falls within any pedestrian visibility splay.

The NPPF notes that *"Development should only be prevented or 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."* As such, it is considered that the telephone streetworks cabinet, by falling within this splay, and with the scale it is, would not cause severe and unacceptable highway impacts, particularly as an access could be installed to the existing garden with 1m high boundary enclosure and no such visibility splay required (in accordance with the GPDO 2015). Cycle parking is not shown but this can be secured through the imposition of a planning condition. Refuse bin storage is shown to the rear and side of the house.

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As such, it is considered that the amended scheme meets the terms of the NPPF and complies with Policies CS2 and CS7 of the Core Strategy and saved Policy H5 of the UDP.

RESIDENTIAL AMENITY

The application is for a house within a residential area and raises no additional residential amenity concerns., or privacy/overlooking issues, over and above those previously considered s part of the approved development.

OTHER ISSUES

Trees

The verge tree to the front of the site was considered with regard the approved scheme. It was determined on the advice of the Council's Tree Officer that an Impact Study and Method Statement be submitted for approval prior to any works commencing. These documents were submitted to discharge the relevant condition of the previous approval and agreed.

The Tree Officer has no objections to the current scheme. It is recommended if permission is granted that the works are carried out in accordance with the Method Statement previously approved.

CONCLUSION

The proposed development is of acceptable design and would be acceptable in terms of the visual amenity of the area and the streetscene. Due to the design, plus the juxtaposition and distance from properties, amenity impacts are acceptable. and like the previously approved scheme. The proposal would have appropriate levels of parking and access/egress would be acceptable. not have a with regard highway safety. The revised scheme complies with the NPPF and planning policies and is recommended for approval.

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) 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) No work for the construction of these developments, including deliveries to and from the site shall take place on the site, except between the hours:

08.00 - 18.00 Monday to Friday; and
08.00 - 13.00 on Saturdays.

No work shall be carried out on Sundays or bank holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 4) Prior to the occupation of the dwelling the parking area shall be hard surfaced and laid out for parking as identified on the proposed Site Plan referenced 006 Rev C

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received 24.06.2022 and shall drain onto a porous or permeable area within the site with and shall not run-off to the public highway. The car parking area shall be retained for parking thereafter.

Reason: To ensure sufficient in-curtilage parking, in the interests of highway safety and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) The dwelling hereby permitted shall not be occupied until it has been provided with an outdoor, weatherproof, electric vehicle charging point readily accessible from a dedicated parking space.

All charge points shall be:

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

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 107.

- 6) Prior to the first occupation of the house hereby permitted a scheme for the provision of cycle parking for a minimum of two cycles shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

The approved scheme shall be implemented before first occupation of the dwelling and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for the secure parking of cycles in the interests of sustainable transport and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 7) The tree protection works identified in the Arboricultural Impact Assessment and Method Statement by Dealga's Tree Consultancy referenced DTCL.270.AIA.AMS.2021 and dated 17 August 2021 submitted to and agreed by the Local Planning Authority to discharge Condition 8 of planning permission 21/00255/FUL shall be implemented prior to any works commencing and shall remain until the approved development is fully completed.

Reason: To ensure tree protection in the interests of amenity and to comply with Policies CS2, CS19 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 8) Notwithstanding any details shown on the approved drawings, the approved dwelling shall not be occupied until full details of both hard and soft landscaping works (other than the parking area paviers approved under this planning permission) 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) Hard surfaced areas and materials.
- b) Planting plans, specifications and schedules, planting size, species and numbers/densities, any trees to be retained and a scheme for the timing of work.
- c) Existing plants / trees to be retained

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d) 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 in accordance with a timetable to be agreed in writing with the Local Planning Authority.

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 to comply with Policy CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 9) Notwithstanding any submitted details, prior to installation/erection, the details of the front boundary wall of the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be completed in accordance with the agreed details.

Reason: In the interests of visual amenity and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy and saved Policy H5 of the Knowsley Replacement Unitary Development Plan

- 10) In the event that contamination is found at any time when carrying out the approved development that 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 dwelling being first occupied.

Reason: In the interests of human safety and the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 11) No soil is to be imported to the site unless 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 in writing by the Local Planning Authority prior to any 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 human safety and the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order) no windows or openings shall be inserted in the gable elevations of the dwelling hereby permitted other than those shown on the approved plans.

Reason: In the interests of privacy having regard to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H8 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

- 13) 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

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without modification) Schedule 2, Part 2A, or any amendments made to that Order, shall not apply:

(i) no gates, walls, fences or other means of enclosure shall be erected forward of the front elevation of the house

other than agreed by this planning permission and the discharge of condition 9 of this planning permission, unless on application to the Local Planning Authority, planning permission for such development is granted.

Reason: In the interests of visual amenity and highway and pedestrian safety and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy H5 of the Knowsley replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
06/05/2022	000	a	Location Plan
06/05/2022	003	c	Proposed Floor Plans
06/05/2022	004	c	Proposed Front and Side Elevations
06/05/2022	005	b	Proposed Rear and Side Elevations
24/06/2022	006	c	Proposed Site Plan
06/05/2022	007	-	Proposed Boundary Fence
06/05/2022	-	-	Proposed Materials and Drive Pavings

Informatives

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

Based on the information available the Local Planning Authority is unaware of any below ground contamination. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4713) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

- 2 UU

- 3 Merseyside Fire Authority

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Lee Osborne

2 August 2022

Mark Cawood 3 August 2022

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