

# Agenda



Knowsley Council

4 January 2023

To: The Chairperson and  
Members of the  
Planning Committee

Dear Councillor

A Meeting of the **PLANNING COMMITTEE** will be held on **Thursday, 12th January, 2023**, in the Council Chamber, Municipal Buildings, Huyton at **6.00 pm**.

If you have any queries regarding this meeting, please contact Andrew Bilsborrow on telephone number 0151 443-3500.

Yours faithfully

Chief Executive

*Please Note:-*

1. *Access to the Council Chamber is limited. Meetings will be live streamed but, if members of the public or press wish to attend in person, please contact Andrew Bilsborrow on (0151)-443 3500 in the first instance to discuss. The live stream can be accessed from the following link - <https://knowsley.public-i.tv/core/portal/home>.)*
2. *If you have submitted a representation in respect of any of the planning applications that are included on the agenda for determination at this meeting, and wish to speak at the meeting, there is a procedure to be followed which can be accessed via the link below:-*

<https://www.knowsley.gov.uk/residents/building-and-planning/make-a-planning-application/speaking-at-planning-committee>

## Membership of the Planning Committee

### Councillors

D Lonergan FRICS      (Chairperson)

|              |               |
|--------------|---------------|
| Ms D Allen   | Ms J Harvey   |
| Ms J E Aston | Ms J Lilly    |
| Ms C Bannon  | K W McGlashan |
| D J Baum     | G J Morgan    |
| H Bell       | Mrs S Powell  |
| T Brennan    | I Smith       |
| C Cashman    | K Taylor      |
| J Donnelly   | K F Walsh     |
| A J Flute    | Ms A Wright   |
| R Gaffney    |               |

*(Note: The Agenda and Reports are circulated to all other  
Members of the Council for information only.)*

## **A G E N D A**

### **APOLOGIES**

#### **1. DECLARATIONS OF INTEREST**

#### **2. MINUTES**

To receive as a correct record the minutes of the meeting of the Committee held on 3<sup>rd</sup> November 2022.

(Pages 1 - 6)

#### **3. APPLICATIONS FOR PLANNING PERMISSION**

To consider the reports of the Executive Director (Regeneration and Economic Development) in respect of the following applications for planning permission.

(Please note that:-

- (i) Background Papers to the planning applications referred to in this agenda comprise the following: -
  - 1. The planning application as submitted or subsequently revised including all forms and plans, etc.
  - 2. The application case sheet, inspection report, photographs, etc.
  - 3. An Ordnance Survey sheet extract showing the application site and the surrounding area.
  - 4. Standard planning conditions as adopted by the Council.
  - 5. Relevant policies from the Unitary Development Plan as appropriate.
  - 6. Copies of all statutory and non-statutory consultations and related correspondence except where they are strictly confidential.
  - 7. The relevant planning history of the application site.

Specific documents, which have been used as a background paper for a particular planning application, and which are not included in the above, are detailed as appropriate at the end of the individual report concerned. Please contact the planning services team (0151 443 2381 or via email at [Dcsubmissions@knowsley.gov.uk](mailto:Dcsubmissions@knowsley.gov.uk)) to arrange inspection of these files and documents; and

- (ii) Details of the contact officer is contained in the individual report and additional information/some background papers can be found on the [Public Access](#) site via the link shown beneath each planning application below).

- (a) **22/00195/KMBC1 - CONSTRUCTION OF A MULTI USER ROUTE FOR PEDESTRIANS, CYCLISTS AND EQUESTRIANS INCLUDING A NEW EQUESTRIAN, CYCLIST AND PEDESTRIAN CROSSING ON FOX'S BANK LANE, INSTALLATION OF 2 NO. K-BARRIERS AND ACCESS GATES, REGRADING OF LAND, LANDSCAPING, BOUNDARY TREATMENTS, SIGNAGE AND OTHER ASSOCIATED WORKS TO CONNECT FOX'S BANK LANE AT HALSNEAD PARK TO THE EXISTING PENNY LANE HIGHWAY - FROM FOX'S BANK LANE FOLLOWING THE NORTHERN BOUNDARY OF AGRICULTURAL LAND SOUTH OF PENNY LANE TO OPPOSITE OAK LODGE.**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 22/00195/KMBC1 in the search box.

(Pages 7 - 44)

- (b) **22/00213/REM - RESERVED MATTERS APPLICATION PURSUANT TO PLANNING PERMISSION 18/00283/HYB FOR THE ERECTION OF 208 NO. DWELLINGS AND ASSOCIATED WORKS - APPROVAL SOUGHT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE - LAND NORTH OF M62 MOTORWAY, OFF WINDY ARBOR ROAD, (HALSNEAD), WHISTON.**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 22/00213/REM in the search box.

(Pages 45 - 74)

- (c) **22/00348/FUL - ERECTION OF 3 NO. COMMERCIAL UNITS (USE CLASS B2 OR B8) INCLUDING MEZZANINE FLOOR, ANCILLARY OFFICE AND WELFARE FLOORSPEACE TOGETHER WITH SERVICE YARD, LOADING BAYS, CAR AND CYCLE PARKING, ELECTRIC VEHICLE CHARGING POINTS, DRAINAGE INFRASTRUCTURE AND LANDSCAPING TOGETHER WITH IMPROVEMENTS TO PUBLIC RIGHTS OF WAY LINKING ORMSKIRK ROAD AND KNOWSLEY LANE INCLUDING THE DIVERSION OF THE PUBLIC RIGHT OF WAY AND OTHER PEDESTRIAN ACCESSIBILITY WORKS - LAND BOUNDED BY EAST LANCASHIRE ROAD, ORMSKIRK ROAD AND KNOWSLEY LANE, KNOWSLEY, L34 9EY**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 22/00348/FUL in the search box.

(Pages 75 - 104)

**4. DELEGATED PLANNING DECISIONS**

To consider the report of the Lead Development Manager - Planning.

(Pages 105 - 116)

**5. TOWN AND COUNTRY PLANNING ACT 1990 - APPEAL DECISIONS**

The Lead Development Manager – Planning to report on the following appeal decisions taken by the Planning Inspectorate :-

- (a) **LAND TO THE SOUTH OF HOLLY FARM, CHAPEL LANE, CRONTON**

(Pages 117 - 120)

- (b) **LAND AT CHURCH ROAD/OKELL DRIVE, HALEWOOD**

(Pages 121 - 126)

- (c) **42 STANFORD CRESCENT, HALEWOOD**

(Pages 127 - 130)

- (d) **LAND AT REAR OF 10 VICARAGE PLACE, PRESCOT**

(Pages 131 - 134)

**6. ANY OTHER ITEM(S) WHICH THE CHAIRPERSON DEEMS TO BE OF AN URGENT NATURE**

**APPLICATION NO:** 22/00213/REM

**APPLICANT:** Bloor Homes Limited

**WARD AFFECTED:** Whiston & Cronton

**DEVELOPMENT:** RESERVED MATTERS APPLICATION PURSUANT TO PLANNING PERMISSION 18/00283/HYB FOR THE ERECTION OF 208 NO. DWELLINGS AND ASSOCIATED WORKS - APPROVAL SOUGHT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE

**LOCATION OF SITE:** Land North of M62 Motorway, off Windy Arbor Road, (Halsnead), Whiston.

**DEVELOPMENT PLAN ALLOCATION:**

Sustainable Urban Extension – South of Whiston and Land South of M62  
Local Wildlife Site (adjoining the site)

**REPRESENTATIONS:**

40 representations, from 33 properties have been received over the course of two periods of consultation. Representations have also been received from Cllr Golding and Cronton Parish Council.

**RECOMMENDATION:**

That Members grant reserved matters consent subject to:

- (i) the conditions set out in the attached schedule, or such additional or amended conditions that the Assistant Executive Director Development and Infrastructure (in conjunction with the Chair of Planning Committee) considers appropriate.

**CASE OFFICER**

Clare Appleyard (0151) 443 2848

**SUMMARY:**

This application relates to a residential development on the Halsnead Garden Village. The site is part of the allocated South of Whiston and Land South of M62 Sustainable Urban Extension (SUE) site. The main planning issues are:

- Principle of Development
- Comprehensive Development

- Design and Layout
- Residential Amenity
- Trees and Landscaping
- Ecology
- Surface Water Drainage and Flood Risk
- Impact on Heritage Assets
- Comments on Representations

## **1. SITE AND SURROUNDINGS:**

- 1.1 The application site forms part of Halsnead Garden Village. Halsnead has national significance as one of the first 14 sites in England awarded Garden Village Status by the Government in 2017. It is a strategic housing and employment development, which will deliver approximately 1,600 homes and at least 22.5ha of employment land, together with new education and health provision, 33 hectares of strategic greenspace and a new Country Park.
- 1.2 The application site for this application measures approximately 7.2 hectares. The original hybrid application (18/00283/HYB) consisted of approximately 14.5 hectares of arable fields and former parkland. The application site consists mainly of arable land with trees and native hedgerow on the boundaries. The site lies approximately 1km from Whiston district centre and gently slopes downwards from north to south with the M62 motorway lying further due south.
- 1.3 The first phase of the Bloor Homes development (which was approved under ref 18/00283/HYB and is currently under construction) lies to the south of this site. There are existing residential properties on the north-western boundary of the application site. There is a small pedestrian access into the application site at the end of the cul-de-sac along Simons Close, although this has recently been closed off by the applicant. A woodland lies to the east of the site and beyond this is Big Water and the Halsnead Mobile Home Park.

## **2. PROPOSAL**

- 2.1 This application seeks the approval of the reserved matters pursuant to planning permission 18/00283/HYB. It proposes the erection of 208 dwellings with appearance, scale, layout and landscaping the only matters for consideration.
- 2.2 The proposed housing mix is 104 3-bedroom houses and 104 4-bedroom houses. These will be 2 and 2.5 storeys in height.

## **3. RELEVANT SITE HISTORY**

- 3.1 18/00283/HYB - 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). Approved with conditions 17 March 2021.

#### **4. ARTICLE 35 STATEMENT**

- 4.1 Officers have worked with the applicant in a positive and proactive manner in order to seek solutions to the issues relevant to the proposed development, consistent with the requirement in the National Planning Policy Framework (NPPF), paragraph 38.

#### **5. EQUALITIES ACT 2010**

- 5.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.
- 5.2 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.
- 5.3 It is considered that the application raises no significant equality issues.

#### **6. REPRESENTATIONS**

- 6.1 The application was advertised by the display of several site notices, a notice in the local press and through letters sent to nearby households. 40 representations, from 33 properties have been received. Representations have also been received from Councillor Golding and Cronton Parish Council. In total, 37 representations in objection to the proposal have been received 2 representations in support and 1 representation making general observations.
- 6.2 The objections raised are on the following grounds: -
- No Pedestrian cycle link should be provided from Simons Close and this is not referred to in the SPD. it should be provided along the new footpath along the former mineral line.

- Landscaping should be provided along the boundary of the site with Simons Close rather than a pedestrian / cycle link in order to prevent access
- The retention of this route will give rise to unacceptable anti-social behaviour.
  - The new development will cause unacceptable noise and disturbance when being built.
  - The construction works undertaken to date have caused rat infestations and further development will only cause this issue to worsen.
  - The development will cause unacceptable levels of overlooking upon existing properties.
  - No buffer zone has been provided between existing and proposed properties as promised previously.
  - The development will be detrimental to local ecology and loss of local habitat along the western boundary of the site.
  - Existing local services (GP, Hospital, Highways, schools) cannot cope with the demand created from the new properties.
  - The access into the site is not safe to accommodate the proposed dwellings.
  - The development will cause capacity issues at Tarbock island.
  - The increase in traffic will cause highway safety issues along Windy Arbour Road.
  - Insufficient parking has been provided to serve the woodland area and this will lead to highway safety issues within the site.
  - The development does not allow for access into the adjacent woodland for existing residents.
  - Little green space has been provided within the site and the development does not reflect its surroundings.
  - Loss of open space / Green Belt land as a result of the development.
  - Too many new houses are being built in the area
  - The development will give rise to flooding issues.

- The increase in housing stock in the area will push down the value of existing properties.

6.3 The representations in support of the proposals are summarised as follows;

- The development will be an asset to the area.
- The development will bring more money into the council therefore reducing the council tax and give more money to the town council.

6.4 The general observations regarding the proposals are summarised as follows;

- The appearance should be of a Georgian style with equal spacing between the buildings. The properties should be pleasant looking with good landscaping.

6.5 The comments made by Councillor Golding are summarised as follows;

- The increase in housing and cars will be detrimental to local air quality levels. This is harmful to health and does not respond to the climate emergency.
- Sustainable travel requirements need to be properly implemented, handing information booklets to new householders is not enough to cover the issue.

6.6 The comments received from Cronton Parish Council are summarised as follows;

- The development will impact on the already congested traffic conditions at Tarbock Island.

## **7. CONSULTATIONS**

Local Highway Authority (KMBC) – No objections subject to a construction management plan condition, a travel plan condition and cycle storage. The highway impact of the development is addressed later in this report.

Arboriculture (KMBC) - No objection. Conditions are requested to ensure the development is carried out in accordance with the applicants' arboricultural impact assessment and appropriate tree mitigation is provided to compensate for the tree loss. 5 working days' notice will also be required prior to the erection of any tree protection fencing.

Lead Local Flood Authority (KMBC) – No objections subject to conditions to secure the connection to the boundary of the site to facilitate future drainage to Big Water, submission of a detailed drainage strategy and submission of drainage management and maintenance details.

Housing Strategy (KMBC) – Affordable housing all appear to be 3 bedroom houses. Whilst delivery of 3 bedroom family homes are welcome, there is also a need for 1, 2 and 4 bedroom homes for rent.

Environmental Sustainability Service (KMBC) – The landscaping scheme is acceptable. Concern has been raised about no surface water being directed into Big Water from the phase 2 development and the resulting impacts on Big Water.

Merseyside Environmental Advisory Service (MEAS). – No objections. Conditions are requested relating to soft felling of trees with bat roost potential, a construction environmental management plan, a habitat management plan, a site waste management plan and details of low carbon/sustainable design measures utilised within the scheme.

National Highways – No objection.

Environment Agency – No objection. General advice was provided on land contamination.

United Utilities – No objection. However, additional information relating to levels has been requested prior to determination.

Merseyside Fire and Rescue – No objection.

Merseyside Police - No objection. Details are required relating to the access between Simons Close and the development site.

St Helens Council – No objection.

## **8. POLICY CONTEXT**

- 8.1 Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2021), an extract from which is set-out below, states that:

*“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

*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 usually 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.”*

- 8.2 In this regard the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision under the provisions of paragraph 219 of the latest NPPF. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan. The NPPF is considered to be up to date national planning policy.
- 8.3 The site is allocated for residential development (as a Sustainable Urban Extension) within the Knowsley Local Plan Core Strategy to help meet the borough’s development requirements up to 2028. The relevant adopted policies for the assessment of the application are listed below.

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

T7 – New Development and Walking & Cycling Routes

DQ2 – Security in the Built Environment

DQ4 – Trees and Development

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development

CS2 - Development Principles

CS8 – Green Infrastructure

SUE1 – Sustainable Urban Extensions and Safeguarded Land

SUE2 – Sustainable Urban Extensions – Development Principles

SUE2c – Sustainable Urban Extensions – South of Whiston and Land South of M62

CS19 - Design Quality and Accessibility in New Development

CS21 – Design Quality and Accessing New Development

CS24 - Managing Flood Risk.

Supplementary Planning Documents

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

New Residential Development SPD

- 8.4 Also of relevance is the Halsnead Garden Village Design and Local Distinctiveness Guide that was adopted in May 2020. This does not have the status of a Supplementary Planning Document but is a material consideration in determining the application. This guide sets out detailed design requirements across the site.

## **9. ISSUES AND ASSESSMENT**

### **Principle of the Development**

- 9.1 Local Plan Core Strategy Policy SUE1 identifies 9 sites which have been allocated for residential or employment uses to meet development requirements, of which the Halsnead Garden Village site 'South of Whiston' is identified for primarily residential use. SUE2 sets out key policy parameters for new development within Sustainable Urban Extension sites. New development should demonstrate compliance with these parameters in order to be acceptable. Indicative considerations for each site are further listed at Appendix E of the Core Strategy. Policy SUE2 also explains that:

*'the Council will prepare a Supplementary Planning Document, which will propose a spatial development framework for the site, together with further details of development and infrastructure requirements, and; planning permissions will only be granted where they are consistent with a single detailed Masterplan for the whole of the Sustainable Urban Extension which is approved by the Council'*

- 9.2 This policy confers significant weight to the Halsnead Garden Village Masterplan Supplementary Planning Document for the wider Sustainable Urban Extension, outlining their important role in determining acceptability of this application.
- 9.3 Policy SUE2c of the Local Plan relates specifically to the South of Whiston and Land South of M62 site and confirms that residential development in this location should deliver: safe and convenient highway access; provision for public transport; walking and cycling; public open space within a wider Green Infrastructure network; key infrastructure and services. This policy provides site specific development requirements with which this application should deliver in order to accord with the policy.
- 9.4 The application site has the benefit of outline planning permission as granted as part of application 18/00283/HYB (referred to as the 'hybrid consent' in this report). The outline permission allowed up to 237 properties on the site, but the current proposals are for 208 dwellings (in addition to the 123 dwellings granted full permission that are currently under construction). The principle of residential development on the site has previously been accepted and the

proposals are within the parameters approved in application 18/00283/HYB and therefore the principle of the development is acceptable. The hybrid consent sought developer contributions for this development which have been secured via s106. No further obligations are required in connection with the reserved matters application. The proposal is considered to be compliant with policy CS27 of the Local Plan Core Strategy.

#### Comprehensive Development

- 9.5 The need to ensure that planning permissions within the allocation deliver and facilitate comprehensive development of Halsnead Garden Village is a clear priority within the Council's Local Plan Core Strategy Policy SUE2 which states:

*“Development within Sustainable Urban Extensions must [...] demonstrate a comprehensive approach to the development of the relevant Sustainable Urban Extension and to infrastructure provision (excerpt from Policy SUE2 part 1b) [...] Planning permissions [for the site] must be linked to any necessary legal agreements [...] which facilitate the comprehensive delivery of all phase of development within the Sustainable Urban Extension in accordance with the single detailed masterplan.”*

- 9.6 It follows that the need to ensure comprehensive development is also a strategic objective of the Halsnead Garden Village Masterplan SPD. Paragraph 8.5 states that:

*“the Council will need to be satisfied that development of individual parcels will not sterilise or frustrate delivery of other parts of the site [...] all parcels will need to be sufficiently coordinated with appropriate green, social and physical infrastructure delivered at the correct time to support successful comprehensive development”.*

- 9.7 Strategic objective SO2 of the Halsnead SPD requires effective collaboration and partnership working to ensure that development is designed and implemented to ensure the comprehensive delivery of Halsnead as a whole, including the timely and coordinated provision of physical and community infrastructure.
- 9.8 Paragraph 5.62 of the Masterplan SPD states that: - *“every application should demonstrate how it would assist in overall delivery, and not compromise or prejudice, wider development of Halsnead as a Garden Village; this will include alignment with the infrastructure requirements and delivery principles set out in this SPD”.*
- 9.9 This proposal includes the provision of a spine road through the development linking Bloor's phase 1 site (which is already under construction) to this site . The proposed development also includes an access to the northeast of the site which will link the development to Main Drive, and to future developments

to the north of the site. Conditions can secure delivery of the northeast access up to the boundary of the site where it meets Main Drive and details of how vehicles will be prevented from accessing Main Drive until the relevant highway upgrade works have been carried out to safely accommodate vehicles.

- 9.10 The applicant has demonstrated a comprehensive approach in delivering the site, subject to the conditions reference above and, therefore, the proposal complies with the requirements of Policies SUE2 and SUE2b and the requirements of the Masterplan SPD.

#### Appearance, Design, Layout and Masterplan Compliance

- 9.11 Policy SUE2 is clear in its requirement that proposals must demonstrate a comprehensive approach to development and be of a high design quality. The Halsnead Garden Village (SPD) has been prepared for the site and in addition Policy SUE2c sets out further requirements which the development should deliver and is further supported by the Halsnead Garden Village Design and Local Distinctiveness Guide.
- 9.12 The Masterplan sets out the Council's requirements for the layout in respect of street hierarchy, location of open space and overall design quality. The design and layout of the proposal also falls to be considered in respect of Policy DQ2 of the Replacement UDP and Policies CS2 and CS19 of the Local Plan: Core Strategy. Of relevance in considering the design and layout of the development is the Design Quality in New Development SPD. All these policies and SPDs share the same aim: to ensure that an acceptable level of quality in the development is achieved and to enhance local distinctiveness, accessibility and identity.
- 9.13 The site is located within the character area identified as 'Halsnead West' within the Halsnead Masterplan SPD. This is one of three character areas within the wider Halsnead Garden Village site. The Halsnead Garden Village Design and Local Distinctiveness Guide ('the Design Guide') sets out parameters for the development including requirements for the design of public realm, street design and hierarchy, green infrastructure, design guidance for sustainable urban drainage systems and hard landscaping design parameters. These factors all contribute towards creating a unique identity and sense of place for Halsnead. The Design Guide also builds on further design requirements for the character areas including palettes of materials and planting guidance.
- 9.14 The hybrid consent included parameters and design principles that any reserved matters application should seek to comply with. The purpose of the Design Principles Statement, an approved document of the hybrid consent, was to ensure that the rationale behind the outline element of the consent, clearly set out details for how any reserved matters application would be presented. The Design Principles document included general place-making principles and site-specific design principles. These related to: access;

movement and accessibility; structure, quality and management of the public realm; safety and security; character; quality of built form; and management and maintenance.

9.15 The site-specific design principles within the Design Principles Statement set out a number of design concepts to be incorporated into any reserved matters application. These are in line with the Halsnead Masterplan SPD design principles and can be summarised as including:

- Provision of a residential avenue spine road that would connect Windy Arbor Road and Main Drive, with a series of key spaces to deliver high quality public realm and distinctive built form. This spine route would give access to Windy Arbor Road which is a key link and access to a permeable network of lanes and streets;
- The residential avenue would provide a continuous frontage of dwellings up to 2.5 storeys high. Other streets and lanes will consist of mainly 2 storey with up to 2.5 storey dwellings in key locations to aid legibility. Any green edge frontages would include less formal frontages. Some continuous frontages would aid noise mitigation;
- A green link for a strategic recreational route along the Cronton railway and other green links to provide movement corridors for pedestrians and cyclists to create a sensitive setting towards Big Water and the existing woodlands;
- A high-quality gateway off Windy Arbor Road.

9.16 As part of the Hybrid application, full planning permission was granted for a new vehicular spine route accessed via a signalised junction at Windy Arbor Road which formed a residential avenue. This application proposes to continue the main vehicular access from the spine road secured through the hybrid consent. The access follows from the site which is already under construction to the south, through to this phase of the development to provide connectivity with Main Drive (from Windy Arbor Road) and the wider Halsnead Garden Village site. This key link is identified within the Masterplan SPD to provide a link to the local highway network and offer a permeable local network of streets and lanes.

9.17 The site is generally undulating with ground levels falling from north to south. The internal layout incorporates a distinct hierarchy of residential avenues, access streets and lanes in general accordance with the Halsnead Masterplan SPD and the Design Guide. Street trees have also been incorporated into the design of the development to offer attractive routes within the development. The layout also includes formal turning areas to allow refuse and delivery vehicles to manoeuvre safely.

9.18 The proposal incorporates landscaping that allows the development to integrate with the existing woodland areas and other trees/vegetation within and adjacent to the site. Along the eastern boundary of the site, new trees, amenity grass areas and a wildflower meadow is proposed to be planted and a footpath will offer a clear route for pedestrians running north to south. The

northern boundary includes trees, wildflower meadow, native woodland mix and woodland edge mix planting. The site currently under construction includes a Locally Equipped Area for Play (LEAP) which sits within a central green space and this phase is designed to offer good connections to this LEAP.

- 9.19 The Halsnead Masterplan SPD and the Design Guide set out key design principles for the Halsnead West character area. Those principles relevant to the reserved matters application include:
- Providing a key interface with Big Water and the existing woodlands by providing a continuous frontage facing on to the key strategic green infrastructure corridor, creating views of the woodland and maximising connectivity for pedestrians and cyclists through the woodlands;
  - Providing a sensitive transition between existing and new homes through providing strategic links as well as offering good surveillance of the Foxshaw Close play area;
  - Providing medium density family homes of between 30 to 40 dwellings per hectare with higher density development to the north; and
  - Present an impressive elevation onto a single sided residential avenue to overlook the linear green space.
- 9.20 The layout of the proposed scheme incorporates predominantly two storey dwellings with some two and a half storey dwellings to aid legibility and to frame the residential avenue in parts. The scheme includes informal frontages with the green edges facing towards Big Water, through single sided winding street design and creation of an important movement corridor within the green space to the east for pedestrians and cyclists, to maximise views towards Big Water and the woodland areas. The layout is considered to establish a sensitive setting to Big Water and the associated local woodlands as well as respecting the ecological and arboricultural assets with appropriate buffers and high-quality frontages. Additionally, care has been given to include green nodal points across the development, as supported by the Design Guide and Halsnead Masterplan SPD, creating a legible development with key dwell points which help to visually signpost movement across the garden village as well as providing a unique sense of place. To establish the details of the landscaping within the nodes, a condition is recommended, should the application be approved.
- 9.21 The development includes dual fronted properties to frame corners and create overlooking of the existing play area at Foxshaw Close. The LEAP which is part of the development already under construction is well overlooked by the dwellings proposed by this application. The street hierarchy also seeks to deliver a distinct sense of place, in part through use of high-quality materials, whilst promoting ease of movement across the site. Together with native planting and landscaping and adherence to the hard and soft landscaping advocated by the Design Guide, it is considered that the proposal seeks to maximise the profile of Halsnead creating a high-quality development and incorporates adequate greenspace within the site.

- 9.22 The average density of the development is approximately 33 dwellings per hectare and this aligns with the Masterplan guidance which promotes a density of around 30-40 dwellings per hectare for the Halsnead West character area.

#### Appearance

- 9.23 The hard landscaping will reflect the Halsnead Garden Village Masterplan SPD and the Design Guide and will compromise the use of high-quality materials including tegular paving for the lanes to emphasis the street hierarchy. The external elevations of the dwellings will be in keeping with the character and appearance of the surrounding area, comprising a combination of render and brick facades. The feature render facades will facilitate legibility across the development and use of detailing reminiscent of arts and crafts design will also help to create a unique sense of identity and place.
- 9.24 The key design principles of the scheme set out above are considered to comply with the requirements of the Halsnead Masterplan SPD and the Design Guide. The reserved matters proposal also has regard to the illustrative Masterplan, the parameters plan and Design Principles Statement which accompanied the hybrid consent. The layout and design of the proposal is considered to comply with the relevant local plan policies, including policy CS19 – Development Quality and Accessibility in New Development and guidance in the New Residential Development SPD. The relevant UDP policies including saved Policy DQ2 (Security in the Built Environment). Local Plan policies, including Policy CS2 (Development Principles), Policy CS19 (Development Quality and Accessibility in New Development), and guidance in adopted SPDs: and Design Quality in New Development SPD (2016).

#### Residential Amenity and Anti-Social Behaviour

- 9.25 In order for the proposal to be acceptable, it is important that it does not have a detrimental impact on the amenities of existing residents. Core Strategy Policies CS2 and CS19 seek to ensure that new development does not significantly injure the amenities of nearby residential neighbours. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured. The New Residential Development SPD also sets out criteria in relation to protecting residential amenity.
- 9.26 In relation to impacts on the amenity of existing residents, it is inevitable that some limited disturbance will occur as part of the construction process. This includes the need to alter the levels across the site as well as constructing the buildings themselves. Nevertheless, this would be for a temporary period only

and separate legislation<sup>1</sup> is in place to address any “statutory nuisance” experienced by residents.

- 9.27 During the construction stage, the Construction Environmental Management Plan (CEMP) will contain a number of mitigation measures to control for environmental effects and minimise impacts on residential amenity. The CEMP will include details of the location of the compound and storage of plant and materials, management of deliveries, details of staff parking, control for mud transfer out of the site, pest control measures and methods for dust control amongst other measures.
- 9.28 In terms of the layout, the separation distances to existing dwellings, particularly along Simons Close, Foxshaw Close and Windy Close all exceed recommended separation distances within the New Residential Development SPD. The proposed development incorporates two and two and a half storey dwellings along the boundary with existing neighbouring properties. Internal separation distances between dwellings are all considered to be acceptable and where pinch points exist, these add interest to the layout design and help to frame streets. The garden sizes of dwellings also offer acceptable amenity space.
- 9.29 In order to protect residential amenity and limit opportunities for overlooking, it is recommended that a condition is imposed to remove permitted development rights for the installation of any further windows on the side elevations of any dwelling facing the properties along Windy Arbor Close. This relates to plots 150, 160 and 161. It is also recommended that a condition is imposed to ensure the proposed windows on the side elevations of these plots (serving bathrooms and/or hallways) incorporate obscure glazing and only have opening elements above 1.7m from floor level). Having regard to the separation distances for plots 160 and 161, it is also recommended that permitted development rights are removed for side extension in the interests of protecting residential amenity.
- 9.30 Looking at the relationship between plot 149 and 20 Simons Close, the separation distance here is approximately 13m, at the closest point. It is noted that no. 20 Simons Close and the siting of plot 149 are slightly angled which marginally reduces any direct overlooking impacts. The New Residential Development SPD requires a separation distance of a minimum of 12metres between principal elevations and gables. The land slopes away from no 20 Simons Close and regard is given to the orientation and gradient of the proposed dwellings and the adjoining neighbouring properties. It is considered that the proposal will not result in unacceptable levels of overlooking, dominance or loss of privacy. Regard has also been given to the orientation and position of the habitable room windows and the siting of the properties as well as positioning of any secondary windows.

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<sup>1</sup> Environmental Protection Act 1990

- 9.31 Having regard to siting, orientation and the separation distances, the proposal is not considered to result in undue levels of dominance, overlooking and loss of privacy or result in unacceptable levels of loss of light.
- 9.32 Saved Policy DQ2 in the Knowsley UDP seeks to minimise the opportunity for crime and anti-social behaviour (ASB) through sensitive design. A number of representations received relate to the proposed pedestrian and cycle link between Simons Close and the development site. Concern has been raised that the increased footfall from the proposed housing development will lead to increased anti-social behaviour problems in this location. A pedestrian link between Simons Close and the application site has been in place for many years and having contacted the police, prior to the developer closing off this link, no anti-social behaviour incidents are on the police records relating to use of the link. The applicant has relatively recently closed off the link for health and safety reasons during the build process. Following this closure of the link, damage has occurred to a resident's fencing as people try to gain access to the site. This has resulted in other anti-social behaviour incidents being reported to the Council.
- 9.33 The Halsnead Masterplan SPD is not conclusive on the provision of a link in this location and some residents state that previous discussions centred around removing this link. The Halsnead Masterplan SPD also does not include the provision of a buffer between existing and proposed properties between Simons Close and Windy Arbor Close and the proposed residential development. The applicant has included a pedestrian link from within the development and this is a good access point between the proposed and existing development. The site has limited linkages between the development and the houses on Windy Arbor Road and this restricts pedestrian access to local shops and services. Without a link in place access to Windy Arbor Road will involve either driving or a substantially convoluted walking route. The inclusion of the link would promote greater legibility between the proposal and existing facilities which is a key design principle embedded with planning policies and the NPPF. Good connectivity, promoting developments that encourage accessibility to services and encouraging the use of sustainable modes of transport other than the private car are all tenets of good design.
- 9.34 The provision of this link will also provide convenient pedestrian access for existing residents to wishing to walk to public open space centred around Big Water and the wooded areas around it. It will also allow easy pedestrian access to the play facilities being provided within the wider development. Therefore, the provision of this link will be of benefit to existing and future residents.
- 9.35 Merseyside Police have offered comments in relation to the layout and have not objected to the scheme on Anti Social Behaviour (ASB) grounds. They are content with the overall design layout with dwellings being outward looking to provide maximum natural surveillance and inclusion of back-to-back gardens which enhances security. Merseyside Police have offered specific comments in relation to the retention of the Simons Close access. They have stated that research suggests cul-de-sacs have lower crime rates generally

and cul-de-sacs with footways connecting them can experience higher levels of crime compared to crime levels within true cul-de-sacs. That said, the Simons Close link has always had an informal connection to the adjacent land and no ASB issues have been highlighted whilst this link was open.

- 9.36 Merseyside Police have stated that they would not object to the retention of the link subject to careful consideration being given to the design of the opening. Wider entrance points are preferred for visibility and natural surveillance. However, the downside to wider access points is access by scramblers/other anti-social vehicle use. As such, use of a barrier to prevent use by quad bikes etc is recommended to be delivered via condition.
- 9.37 It is considered there is no solution that will stop potential ASB issues and consideration of any barriers will have implications for who can use the access and the resulting impacts on inclusivity as a “K” barrier for example, would prevent access by larger mobility scooters and double buggies. The fear of ASB is a material consideration given moderate weight because of the lack of reported instances until recently when the link was blocked. The ability to provide inclusive access is also a material consideration given some significant weight. On balance, it is considered that a barrier would help minimise the opportunity for ASB and therefore a condition to secure a barrier on this path within the developer’s site is recommended should planning permission be granted.
- 9.38 In coming to this view, regard has been given to whether an alternative access could be provided in a different location and providing an access from Windy Arbor Road adjacent to the bridge down to the mineral line was put forward as a potential link. However, this is on private land not owned by the applicant and would involve a steep gradient link (like resulting in the need for steps) which would be less inclusive than the current proposal. Therefore it was not considered viable as an alternative access point.
- 9.39 In conclusion, the proposal would not be significantly detrimental to the amenity of the occupiers of existing dwellings, subject to the conditions referenced above. Furthermore, any lesser impacts from the development on existing residents need to be considered in the context of the planning balance and weighed against the positive benefits accruing from the development. The proposal, subject to appropriate planning conditions, complies with: the National Planning Policy Framework, the National Design Guide, Policies SD1, CS2, SUE2, SUE2c and CS19 of the Knowsley Local Plan: Core Strategy, Policy DQ2 of the Knowsley UDP, New Residential Development SPD; and Design Quality in New Development SPD, and the Halsnead Garden Village SPD and Design & Distinctiveness Guide.

#### Highway Impacts – Access, Circulation and Parking

- 9.40 Local Plan Core Strategy policy CS7 sets out the overall transport strategy for Knowsley and sets out criteria for new developments including the requirement for developments to meet adopted parking standards (as set out

in the Ensuring a Choice of Travel SPD). This policy promotes connectivity, delivery of sustainable accessible developments and seeks to deliver safe developments. This is also embodied in the Halsnead Masterplan SPD. The Halsnead masterplan SPD and the Design Guide set out more specific requirements in relation to highway design and hierarchy. Policy T5 of the Knowsley UDP seeks to ensure that any highway impacts are mitigated. The strategic highway issues and mitigation have been dealt with at the hybrid application stage. However, the more detailed locational and design requirements relating to the layout, access, circulation and parking are material considerations for the purposes of determining this application.

- 9.41 In accordance with the requirements within the Design Principles and the Halsnead Masterplan SPD, the scheme consists of a hierarchy of streets and lanes, from the spine route, and nodal points, which aid legibility across the development. The scheme also includes a shared footway/cycleway which continues through both phases of the development and promotes sustainable travel.
- 9.42 Off street parking provision for the proposed dwellings meets the parking standards within the Ensuring Choice of Travel SPD and is designed to ensure that the street scene is not dominated by parked cars.
- 9.43 The Highways Team have reviewed the application and confirmed that the proposal accords with the Design Guide and is acceptable from a highway safety perspective. A swept path analysis has been provided to demonstrate that a refuse vehicle can navigate the layout. Conditions are included within the hybrid consent to secure provision of cycle storage for dwellings without a garage, submission of a travel plan and retention of any garage for parking purposes.
- 9.44 The proposed northeast access onto Main Drive will only provide for pedestrian and cycle access in the short to medium term; currently the use of the access onto Main Drive by vehicles is not acceptable in highway safety terms. It is therefore recommended that a condition is imposed to secure the submission of a scheme to deliver the northeast access road up to the boundary with Main Drive, together with a scheme to prevent vehicular access until such a time as the wider highway connectivity has been delivered. This scheme should also include a timetable for implementation which will also secure removal of any restrictive measures once the main link to Windy Arbor Road/improvements to Main Drive have been delivered.
- 9.45 Subject to the above conditions, the proposal is considered to be acceptable in relation to the design, layout, circulation, access, parking and highway safety. The development promotes sustainable design and alternative modes of travel. As such the proposal is considered to comply with policies CS2, CS19 and CS7 of the Local Plan Core Strategy, the Halsnead Masterplan SPD, Ensuring a Choice of Travel SPD, the Design Guide and the NPPF.

Affordable Housing

- 9.46 A viability appraisal was submitted with the earlier hybrid application and this was assessed by the Councils' independent consultants. The viability appraisal set out that it was considered financially unviable to provide affordable housing within the hybrid scheme due to the abnormal costs involved in developing the site and taking into consideration the other financial contributions required by planning policies. The Council accepted the viability appraisal and a s106 agreement was entered into which included a mechanism for an affordable housing viability review. The s106 requires a viability review to be submitted upon occupation of 45 dwellings within phase 1 of the Bloor development at Halsnead. This threshold has not been met yet.
- 9.47 The s106 agreement that supported the hybrid consent requires any reserved matters application which is made before the viability review has been submitted and assessed by the Council, to identify and reserve 25% of the dwellings, some or all of which will be used as affordable housing if the viability review concludes that it is financially viable for the hybrid scheme to provide affordable housing. The s.106 allows 2 or 3 bedroomed houses to be identified and reserved. The current application proposes only 3 bedroom properties for the affordable units, however, as the level of provision is unknown at the moment and is subject to a further re-appraisal, the proposed location and type of affordable housing proposed is considered acceptable in principle. The proposal therefore complies with Policies CS15, SUE2 and SUE2c of the Local Plan Core Strategy.

#### Trees and landscaping

- 9.48 Saved Policy DQ4 of the Knowsley UDP seeks to ensure that new developments include adequate tree and landscape provisions, whilst also seeking the protection or replacement of trees affected by development. Policy CS21 of the Local Plan Core Strategy has the same aims and sets out the principles for mitigation where tree loss is unavoidable. This approach is supported by the Trees and Development SPD.
- 9.49 The applicant has submitted an Arboricultural Implications Assessment and Method Statement which was a requirement of condition 18 on the hybrid consent. The development proposes the removal of approximately 26 trees which predominantly have a C classification (low amenity value) with two trees given a B classification. Three trees are proposed to be removed from the area covered by a Tree Preservation Order which lies to the northeast of the application site. This is to facilitate the provision of the northeast access point. However, individually these trees are of a low amenity value and can be mitigated by replacement planting.
- 9.50 A landscaping plan has been submitted as part of this application. The mitigation for tree loss within the site is provided for within this landscaping plan. The landscaping proposals have good cohesion with the adjacent woodland areas to the east and adjacent to the access as well as providing a high-quality setting. The landscaping scheme provides shrub, tree and hedge planting in accordance with the Design Guide and Halsnead Masterplan SPD

with tree planting framing streets and hedge planting defining public and private space e.g. front garden boundaries. The landscaping, which also includes wildflower meadows, seeks to enhance biodiversity and habitat creation.

- 9.51 In terms of the hard landscaping, this consists of a high-quality materials palette which emphasises sense of place and creates a unique identity for Halsnead using not just tarmac but also tegular paving and high-quality edging along with granite style paving channels at pedestrian crossing points. Means of enclosure will be consistent with the development already under construction and use of timber fences, screen walls, timber access gates and hedges will define curtilages. The applicant has provided amended details which increase the number of corner boundary treatments utilising walls with hedging to the front. This is in line with delivering a high-quality development and ensuring that prominent street scene locations have sympathetic boundary treatments.
- 9.52 It is recommended that a condition is imposed to ensure that the boundary treatments for this development are in accordance with the submitted details and for hedges to be maintained at 0.6m high adjacent to the highway. Should members be minded to grant permission it is also recommended that a condition is imposed to remove permitted development rights for hardstanding to the front of properties and to remove permitted development rights relating to the erection of boundary treatments. This will help to retain some of the garden village green credentials and ensure hedges are not replaced by harder boundary treatments such as fencing which would not be sympathetic additions within a garden village environment.
- 9.53 The Arboricultural Officer has raised no objection to the proposal subject to a condition to ensure that tree loss is mitigated as well as conditions to ensure the development is carried out in accordance with the Arboricultural Implications Assessment and Method Statement and 5 working days' notice is provided prior to the erection of any tree protection fencing. The 5 days' notice is already a requirement on the hybrid consent.
- 9.54 The landscaping scheme provides adequate tree planting and incorporates species in accordance with the Design Guide and Halsnead Masterplan SPD and as such, the soft landscaping within the proposal is considered to be acceptable. The hard landscaping plan submitted with the application is also acceptable although details street furniture and other details will still be required to be submitted as set out in the hybrid consent. It is recommended that a timetable for implementation is submitted to ensure the landscaping scheme is delivered to serve the new residents.
- 9.55 Subject to the above conditions, the proposal is considered to comply with Saved Policy DQ4 of the Knowsley UDP and Policies CS19 and CS21 of the Local Plan Core Strategy.

## Ecology

- 9.56 Policy CS8 of the Local Plan Core Strategy, at various points, aims to ensure that new development protects and enhances biodiversity, including the protection of designated sites, priority habitats and protected and endangered species. This is fully consistent with the aims of the NPPF. The application is accompanied by a comprehensive ecological assessment.
- 9.57 The applicant has submitted an updated Arboricultural Implications Assessment and Method Statement. Big Water and Big Water Wood, Halsnead Park Local Wildlife Site and mature woodland at the former Saunders Nursery are of Tree Preservation Order status and lie adjacent to the site and along with hedgerow should be protected through a Construction Environmental Management Plan (CEMP) condition.
- 9.58 There are tree removal works proposed and the majority of trees proposed for removal are young or early mature. A cherry and Birch tree were identified by MEAS as potentially having suitability for roosting bats. As such, the applicant undertook a preliminary roost assessment report and identified a number of trees with low suitability for roosting bats. Should members be minded to grant permission it is recommended that a condition is imposed to secure removal of these trees using soft felling techniques advised in the applicant's report.
- 9.59 The tree survey also identified ash dieback in some trees and a need for further survey work. A requirement within the CEMP to secure the removal of those trees with ash die back is recommended. The requirement for ecological mitigation through a Habitat Management Plan has already been secured as part of the hybrid consent and this will include mitigation for the tree removal works within the reserved matters application.
- 9.60 The hybrid consent imposed a requirement to submit a CEMP relating to environmental measures for each phase of development, to manage and mitigate the main environmental effects during construction. A CEMP will address and propose measures to minimise the main construction effects of the development and includes details of ecological mitigation, construction and demolition, waste management, pollution prevention and soil resource management. A CEMP should also include method statements to avoid or mitigate adverse environmental impacts. Should permission be granted it is recommended that a condition is imposed to ensure that a CEMP for phase 2 is submitted which, amongst other things, includes:
- Appointment of a Project Ecologist to undertake/ensure implementation of:
  - A pre-start check for breeding/ground nesting birds;
  - A pre-start check for terrestrial mammals such as badger, hedgehog, brown hare;
  - A tree survey for ash dieback as recommended by the Arboricultural Implications Assessment and Method Statement;
  - Provision of a 5m buffer and protection measures such as heras fencing for Big Water and Big Water Wood, Halsnead Park LWS,

mature woodland at the former Saunders Nursery and Priority Habitat hedgerow;

- Amphibian, brown hare and terrestrial mammal reasonable avoidance measures

- 9.61 Subject to the above condition and having regard to the conditions on the hybrid consent that relate to this part of the development, it is considered that the proposal complies with policy CS8 of the Local Plan Core Strategy, the Halsnead Masterplan SPD and the NPPF.

#### Flood Risk and Drainage

- 9.62 Policies CS2 and CS24 of the Local Plan Core Strategy combine to ensure that development will not cause an unacceptable risk of flooding and that surface water is drained in a safe and sustainable manner. Policy SUE 2 and SUE2c also set out that proposals should demonstrate a comprehensive approach to infrastructure provision and that having adequate drainage in place is key in achieving this.
- 9.63 A flood risk assessment, incorporating a surface water drainage strategy has been submitted with the application and in accordance with condition 17 of the hybrid consent, surface water drainage details have also been submitted. The drainage of surface water is shown to drain south, connecting with the existing infrastructure within phase 1 and proposing to discharge south of Big Water into an existing watercourse. Provision within the drainage strategy has been made to make provision for surface water drainage to be incorporated through Bloor's development parcel to serve area E (which is a residential development granted outline consent under reference 20/00399/OUT). This is also a requirement of a condition on the hybrid consent.
- 9.64 The concerns of the LLFA with regards to the drainage of surface water all going south of Big Water is acknowledged, and ideally the northern housing parcel of this development would allow surface water to drain to Big Water. However, there are land ownership issues that mean this link cannot currently be provided. The applicant has agreed to provide a connecting pipe from the proposed surface water drainage network up to the eastern site boundary, along with a manhole, to facilitate a connection should this connection become achievable in the future. The LLFA have not objected to the proposal subject to a detailed drainage condition and a drainage management and maintenance condition. As the management and maintenance condition on the hybrid application seeks these details for phase 2, no further management and maintenance condition is required.
- 9.65 United Utilities have commented that they require levels detail prior to determination before they can offer formal comments regarding the drainage to allow UU to assess any risk of sewer surcharge. UU has also confirmed that there may be a requirement to raise finished floor levels and ground levels and/or include mitigation measures to manage the risk of sewer

surcharge. However, the principle of the development has been accepted as part of the hybrid consent and it is considered that this detail can be requested by condition both to preserve residential amenity and to ensure that the site can be adequately drained. United Utilities will be consulted on any levels detail submitted. As such, it is recommended that the detailed drainage and levels information for phase 2 (to include finished floor levels) can be secured by planning condition. Subject to these conditions, it is considered that the surface water drainage proposals for the site are acceptable in principle and comply with Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy and the NPPF.

#### Impact on Heritage Assets

- 9.66 Policies CS19 and CS20 of the Local Plan Core Strategy, chapter 12 of the NPPF and Historic Environment Good Practice Advice in Planning: 2 (Historic England: 2015) all seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains. This includes both designated and non-designated heritage assets. Policies CS19 and CS20 of the Local Plan Core Strategy seek to ensure new development complements and enhances features of historic interest, preserves local distinctiveness and character through sensitive design as well as ensuring new development includes appropriate integration with the setting and immediate landscape.
- 9.67 The Masterplan SPD and the Design Guide promote the retention of features within the former Halsnead Park and seek to embed a distinctive sense of place into new development. The Masterplan SPD identifies opportunities for green infrastructure which includes the enhancement and integration of the historic landscape features including woodlands and water bodies. The Halsnead Masterplan SPD states that there are several designated and non-designated heritage assets within and around Halsnead and promotes buffers between historic buildings and the development as well as seeking retention of elements of the historic landscape.
- 9.68 Section 66(i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to show special regard to the desirability of preserving and enhancing listed buildings and their settings, in exercising their planning functions. Considerable importance and weight should be given to the desirability of preserving listed buildings and their settings.

*The NPPF (at paragraphs 194 – 208) also provides guidance on the approach that should be taken in considering the impacts against the level of harm (if any) that has been identified to listed buildings and their settings. Paragraph 199 is of particular importance and in summary states that in considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be, irrespective of the scale of the potential harm. Paragraph 200 further requires that any harm to the significance of a designated heritage asset, including that arising from*

*development within its setting should require clear and convincing justification.*

*Irrespective of the level of harm, decision makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.*

- 9.69 There are a number of listed buildings within the vicinity of the site: Carr House and the paddocks and the stables associated with Carr House are both grade II listed for their architectural and historic significance. Carr House was first listed in 1971 and was listed for its architectural features such as its sandstone roof, stonework and window details. Sandfield House is grade II listed and lies to the northeast of the application site. Old Halsnead is grade II listed, whilst the Church of St Nicholas, also grade II listed, lies to the north of the application site and is considered to have architectural significance due to its sandstone construction with slate roof. These buildings share historic connections with the application site and therefore not only have architectural significance, but also historic importance. The LPA is required to have special regard to preserving the character and settings of these buildings.
- 9.70 The Heritage and Desk based Assessment, submitted with the hybrid application, considered the impact of the proposal upon the listed buildings. Carr House and the paddocks and stables lie adjacent to the part of the application site that was granted full consent under the hybrid consent and are physically separated by a belt of trees which limit views into and out of the site towards the listed buildings. Old Halsnead is physically separated from the development by the M62 and intervening landscaping; the proposal will therefore have very little impact on this listed building and its setting. Sandfield House is located to the north east of the application site. Again the proposal will have very minimal impact on the setting of Sandfield House due to the distance of the listed building from the application site and due to the intervening features including Main Drive and landscaping. The hybrid application considered the magnitude of the impact on the church to be slightly negative due to the fact that the development would reduce some of the views towards the church from the wider landscape.
- 9.71 However, the reserved matters proposal still preserves the setting of this listed church within the parish and preserves the historic and architectural significance of the church. The conclusions of the hybrid application remain in relation to the heritage impacts and impacts on setting; the parameters within which the reserved matters application needed to follow to ensure that the development preserves the setting of the listed buildings have also been adhered to.
- 9.72 The reserved matters application site is a reasonable distance from all these listed buildings and given this degree of separation and having regard to intervening features, this proposal will have limited impacts on the setting of the listed buildings, having regard to the additional planting already secured under the hybrid consent and having regard to the parameters which the reserved matters application follows.

- 9.73 Policy CS20 of the Local Plan Core Strategy requires developments to preserve or enhance the Borough's historic assets and archaeological remains. MEAS has confirmed that the Archaeology and Heritage Desk Based Assessment and the Geophysical Survey Report previously submitted do not require updating for the reserved matters application. However, archaeological investigation (advised as a result of the previous survey findings) has not been undertaken in accordance with the agreed Written Scheme of Investigation for the phase 2 works.
- 9.74 These matters are required by the archaeology condition included on the hybrid planning application and as such no further condition is advised and the proposal is considered to comply with policy CS20 of the Local Plan Core Strategy,
- 9.75 The proposal is considered to complement the features of historic interest and preserve local distinctiveness and character. The proposal is considered to comply with policies CS19 and CS20 of the Core Strategy Local Plan and the NPPF. The requirement of S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to “...*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” has been fully considered in coming to this view.

#### Sustainable and Low Carbon Development

- 9.76 Policy CS22 of the Local Plan Core Strategy seeks to promote sustainable and low carbon development. Inclusion of sustainable energy is also in line with the Halsnead Masterplan SPD. The applicant has submitted an electric vehicle charging point layout plan which makes provision for wall-mounted electric vehicle charging points to be provided for each dwelling. The hybrid consent requires details of the EVCPs and will secure delivery. No additional condition on the reserved matters application is required. Additionally, the CEMP condition requires the applicant to incorporate a range of mitigation measures during the construction process to minimise the environmental effects of construction.
- 9.77 Subject to the above conditions, the proposal is considered to comply with policy CS22 of the Local Plan Core Strategy and the NPPF.

### **10. COMMENTS ON REPRESENTATIONS**

- 10.1 A number of objections have been raised on grounds relating to the principle of development, traffic impacts, impacts of the development on Tarbock Island, capacity issues at this junction and congestion, impacts on local air quality (especially in the context of the climate emergency declared by the Council) and access to local services such as GPs and school places. However, the principle of the development has already been accepted for up

to 237 residential dwellings on this site. As such, the hybrid planning application has already carefully considered these impacts and the scheme received planning consent on this basis. As this is a reserved matters application, these issues of principle cannot be revisited. The matter of decreasing house value is not a material planning consideration.

## 11. RECOMMENDATION

11.1 That Members grant reserved matters consent subject to:

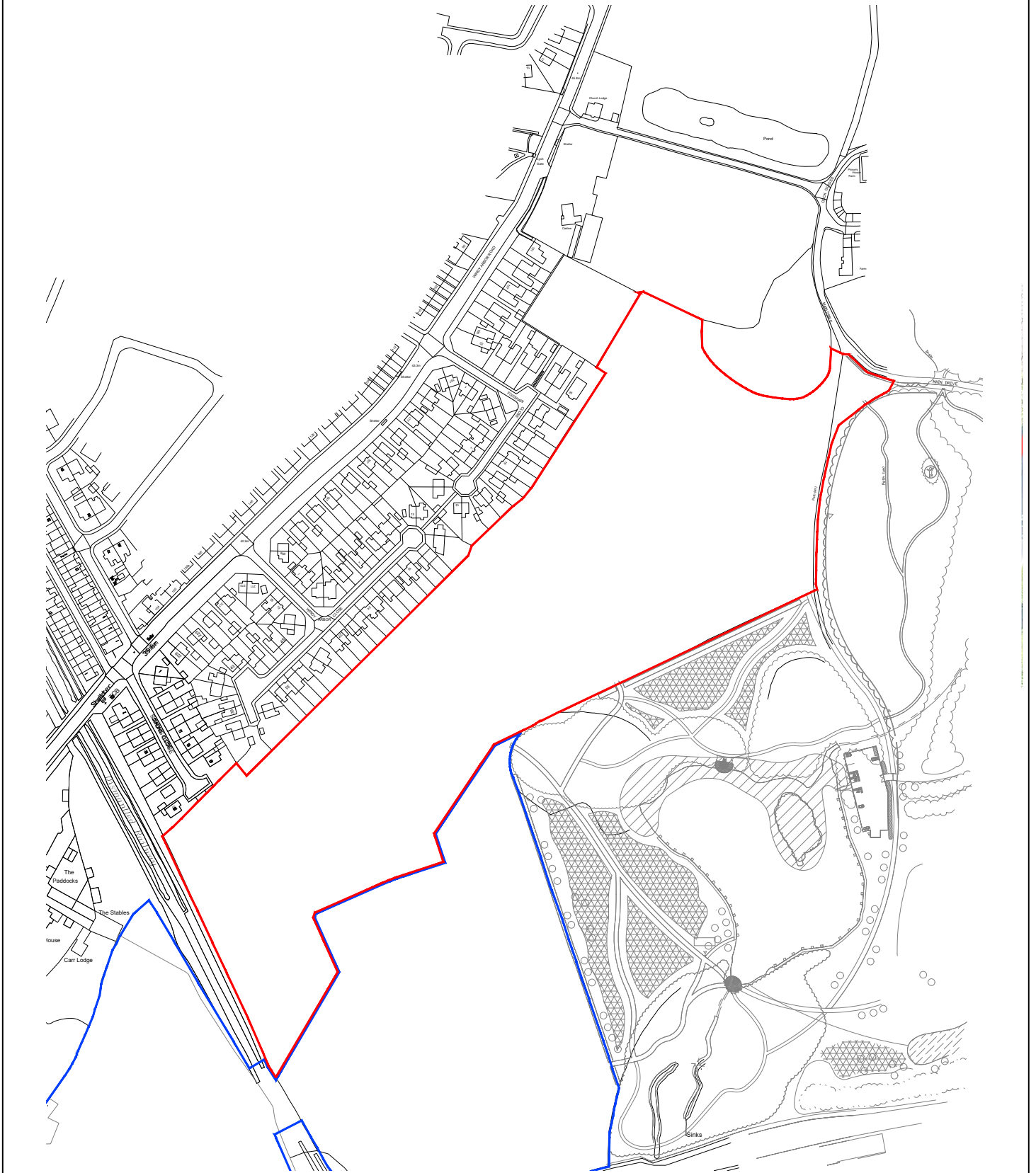
(i) the conditions set out in the attached schedule or such additional or amended conditions that the Assistant Executive Director Development and Infrastructure (in conjunction with the Chair of Planning Committee) considers appropriate;

### SCHEDULE OF CONDITIONS

|   | Condition                                                                                                                                                                                                                                                  | Trigger                                                                |
|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| 1 | List of approved plans and documents                                                                                                                                                                                                                       | Advisory                                                               |
| 2 | Submission and implementation of a Phase 2 CEMP                                                                                                                                                                                                            | Pre-commencement                                                       |
| 3 | Updated AIA and method statement shall be adhered to                                                                                                                                                                                                       | Advisory                                                               |
| 4 | Details of the access up to the boundary adjacent to Simons Close prior to first occupation and timetable for delivery of the works. Details shall include a barrier to prevent access by motor vehicles. Access and barrier to be retained in perpetuity. | Prior to first occupation                                              |
| 5 | The parking shall be provided prior to first occupation of that dwelling to which the parking relates, as set out in the layout plan, and shall be retained thereafter                                                                                     | Prior to first occupation of the dwelling to which the parking relates |
| 6 | Removal of permitted development rights relating to insertion of windows (for plots 150, 160 and 161), side extensions for plots 160 and 161, boundary treatments for all plots and hardstanding to the front of dwellings for all plots                   | Advisory                                                               |
| 7 | Any side elevation window facing plots 150, 160 and 161 shall be obscurely glazed and any opening elements shall be 1.7m above floor level                                                                                                                 | Advisory                                                               |
| 8 | Details of the nodes and a timescale for implementation                                                                                                                                                                                                    | Prior to first occupation                                              |

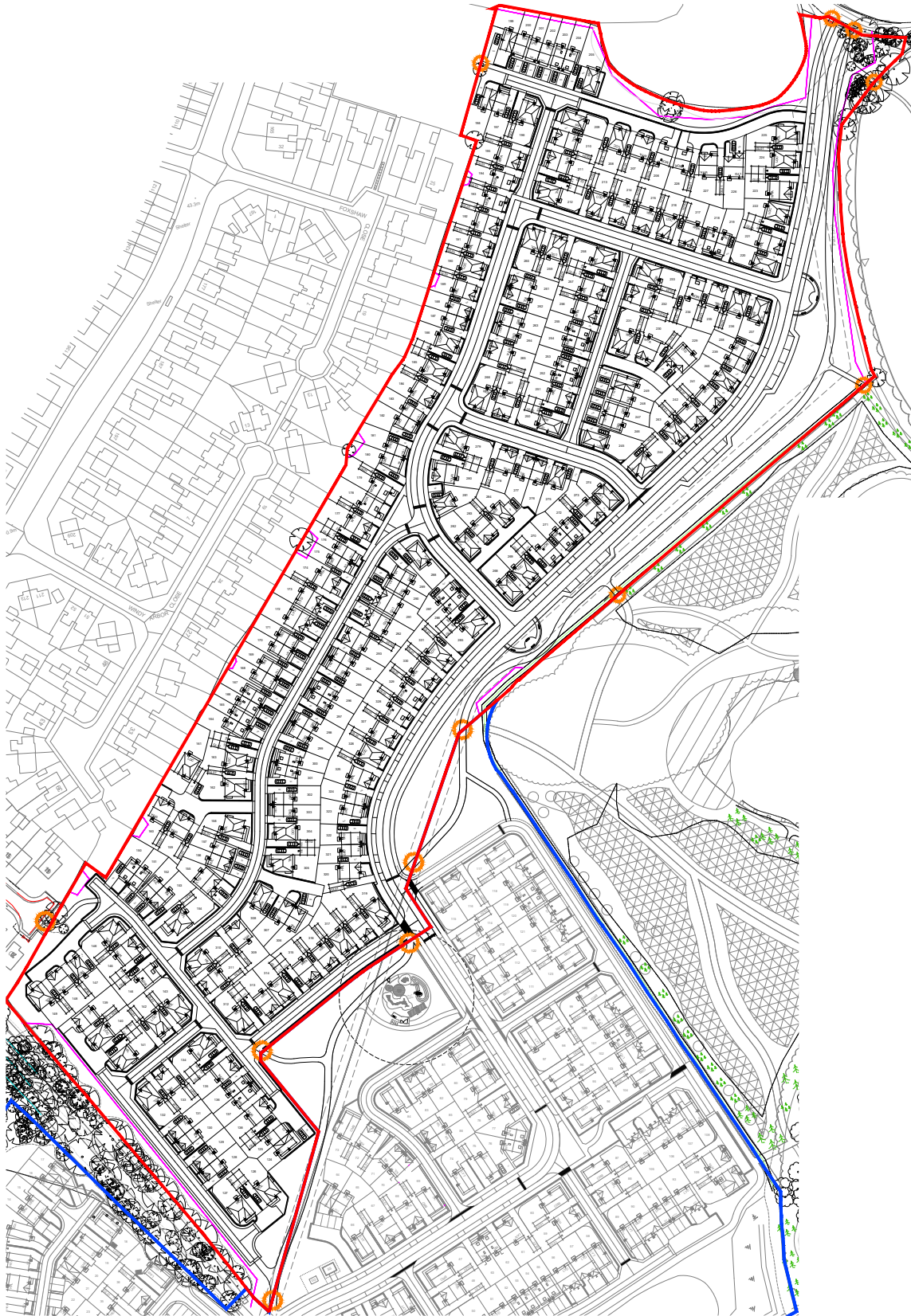
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|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 9  | Details to secure the delivery of the northeast access road up to the boundary with Main Drive and submission of a scheme to temporarily prevent vehicular access onto Main Drive and timetable for implementation/removal of the barriers | Prior to any above ground works                                               |
| 10 | Hard and soft landscaping scheme to be in accordance with the submitted plans and submission of a timetable for implementation for the hard landscaping detail                                                                             | Advisory and prior to first occupation                                        |
| 11 | Detailed drainage strategy condition                                                                                                                                                                                                       | Pre-commencement                                                              |
| 12 | Boundary treatments to be as approved                                                                                                                                                                                                      | Advisory and erected prior to occupation of the dwelling to which they relate |
| 13 | Notwithstanding the levels detail submitted, details of the phase 2 levels (including finished floor levels) shall be submitted to and approved in writing by the LPA                                                                      | Prior to commencement                                                         |

# APPLICATION No: 22/00213/REM



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# APPLICATION No: 22/00213/REM



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