

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 23/02588/FUL **CASE OFFICER:** Andrew Hunt

WARD: Roby **PARISH:** N/A

LOCATION: Fernbank, 22 Archway Road, Huyton, Knowsley, L36 9XB

PROPOSAL: REMOVAL OF CONDITION NO.4 ATTACHED TO PLANNING PERMISSION 21/00152/FUL (CHANGE OF USE OF DWELLING (22 ARCHWAY ROAD) TO FORM EXTENSION TO 20 ARCHWAY ROAD DENTAL PRACTICE TOGETHER WITH THE DEMOLITION OF EXISTING SINGLE STOREY SIDE EXTENSION AND THE ERECTION OF A TWO STOREY SIDE EXTENSION AND A SINGLE STOREY REAR EXTENSION INCLUDING THE INSTALLATION OF 4 NO ROOFLIGHTS) TO ALLOW FOR THE EXISTING TIMBER SASH WINDOWS TO BE REPLACED WITH NEW UPVC SASH WINDOWS

Site Description

The application site is a Semi Detached building fronting onto Archway Road. The building is of a traditional design. It is surrounded by residential units to the north west and north east and a solicitors to the west.

Proposal

The proposal is for the removal of condition no 4 attached to planning permission,(21/00152/FUL) to allow for the existing timber sash windows to be replaced with new upvc sash windows.

Consultations

N/A

Representations

This application has been publicised by letters sent to 11 Neighbours. No comments have been received.

Planning History

There have been several applications at the site most of which are not directly relevant to the current application. However, the application seeks to vary the original permission (21/00152/FUL – approved 24/06/2021).

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This

means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS19 - Design Quality and Accessibility in New Development

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

N/A

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Principle of Development

The principle of development has been established through the original application (21/00152/FUL – approved 24/06/2021).

Condition 4

Conditions 4 of the original application stated the following:

No part of the development hereby permitted shall be commenced until the following details have been submitted to and have been approved by, the local planning authority:

- Elevation and section details of the proposed windows. Sectional detail shall be submitted at a scale of no less than 1:2 (The windows shall be constructed of timber and be of sliding sash design).*
- The approved details shall be implemented before any part of the development is brought into use and shall be retained as such thereafter.*

Reason: In the interests of good design and to protect the character of the area in accordance with policies CS19 and CS20 of the Core Strategy, adopted January 2016.

Street Scene

Policy CS19 (Design Quality and Accessibility in New Development) in the Core Strategy sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness and the identity and accessibility of new places.

The NPPF identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The proposal is to remove the requirement for timber windows. The site is not within a conservation area and is not listed, the building is also set back from the main road. UPVC windows are proposed due to lower maintenance and increased energy efficiency. The proposed replacement upvc windows is considered to be of acceptable design and would not materially harm the street scene. The other materials are also in accordance with the character of the area. Condition 4 is required to be retained as a compliance condition to ensure the works are carried in accordance with the approved plans.

Conclusion

The proposal would be acceptable in principle and in relation to the street scene. The application complies with local planning policies and is recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions.

- 1) The development must be begun not later than the expiration of three years beginning with the date of the original permission (21/00152/FUL).

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 following approved plans and documents :-

a.	02/10/2023			Window Brochure
b.	02/10/2023			Planning Statement
c.	04/05/2021	AE-20-001	P3	Proposed Front and Rear Elevations
d.	28/04/2021	AL-20-100	P5	Proposed Site Plan
e.	05/10/2023	AL-00-001	P2	Site Location Plan
f.	17/03/2021	AE-01-001	P1	Existing Elevations
g.	17/03/2021	AE-20-002	P2	Proposed Side Elevations
h.	17/03/2021	AL-00-002	P2	Existing Site Plan
i.	17/03/2021	AL-01-001	P2	Existing Ground and First Floor Plans
j.	17/03/2021	AL-01-002	P1	Existing Floor Plans Second and Roof
k.	17/03/2021	AL-20-010	P1	Proposed Ground Floor Plan
l.	17/03/2021	AL-20-020	P1	Proposed First Floor Plan
m.	17/03/2021	AL-20-030	P1	Proposed Second Floor Plan
n.	17/03/2021	AL-20-040	P1	Proposed Roof Plan
o.	17/03/2021	AL-63-001	P1	Proposed lighting plan
p.	17/03/2021	AS-20-001	P2	Proposed Section A-A
q.	17/03/2021	AS-20-002	P2	Proposed Section B-B
r.	17/03/2021	- Arboriculture Impact Assessment & Method Statement		
s.	17/03/2021	RPT_204003_C2_210201 -Design and Access Statement		

Reason: For the avoidance of doubt.

Pre Occupation

3) Ventilation and Fume Extraction

No part of the development hereby permitted shall be commenced until the following details have been submitted to and have been approved by, the local planning authority:

- a) Facing, roofing and hard surfacing materials
- b) The design and finish of all new gates, railing and pillars.

The approved details shall be implemented before any part of the development is brought into use and shall be retained as such thereafter.

Reason: In the interests of good design and to protect the character of the area in accordance with policies CS19 and CS20 of the Core Strategy, adopted January 2016

Ongoing Conditions

4) Elevation Details

No part of the development hereby permitted shall be occupied until the following are implemented in accordance with the approved plans (Window Brochure (submitted 2/10/2023)):

- a. Windows - Eurocell Charisma Sliding Sash Upvc Window (White)
- b. Horns – Decorative Horns
- c. Georgian Bars / Mullions - To match existing pattern – Single vertical mullion to both top and bottom sash panes.

These shall be retained hereafter.

Reason: In the interests of good design and to protect the character of the area in accordance with policies CS19 and CS20 of the Core Strategy, adopted January 2016.

5) Landscape

No part of the development hereby permitted shall be occupied until Details of landscaping have been submitted to and have been approved by, the local planning authority:

The approved details shall be implemented before any part of the development is brought into use and shall be retained as such thereafter.

Reason: In the interests of good design and to protect the character of the area in accordance with policies CS19 and CS20 of the Core Strategy, adopted January 2016.

6) Bat Boxes

The bat boxes shall be installed out in accordance with the details provided under 21/00152/DISCON: (AL-20-100 P6 – received 8/8/2023) and retained hereafter.

Reason: To provide appropriate habitats for bats in accordance with policy CS8 of the Core Strategy, adopted January 2016.

7) EV Chargepoints

The building shall not be occupied until a single outdoor, weatherproof electric vehicle charging points readily accessible from a dedicated parking space has been provided. The charge point shall be located in accordance with the approved drawing: (Proposed Site Plan - AL-20-100- Revision P5 received 28/04/21).

The chargepoint shall be:

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

e) The chargepoint shall be clearly marked as such and its purpose explained to new users in any travel plan.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and NPPF Para 110.

8) Construction Hours

No construction work, including demolition and deliveries to and from the site shall take place on the site except between the hours:

08.00 - 18.00 Monday to Friday;

08:00 - 13:00 hours Saturday.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

9) Front facing door

The front facing doors shall be of timber construction, with a painted finish.

Reason: In the interests of good design and to protect the character of the area in accordance with policies CS19 and CS20 of the Core Strategy, adopted January 2016.

10) Roof Lights

The proposed roof lights shall be installed flush with the plane of the roof and coloured to match the roofing material.

Reason: In the interests of good design and to protect the character of the area in accordance with policies CS19 and CS20 of the Core Strategy, adopted January 2016

11) Clearance Works

No tree felling, scrub clearance, vegetation management, ground clearance or building works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.

Reason: to protect ecology in accordance with policies CS2 and CS8 of the Core Strategy, adopted January 2016.

Signed Case Officer:

Andrew Hunt

**Signed Authorising
Officer:**

K Foster

Date:

7 November 2023

Informatives

1) N/A