

<u>APPLICATION NO:</u>	23/02726/KMBC1	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Whitefield	<u>PARISH:</u>	
<u>LOCATION:</u>	Kirkby C Of E Primary School, 1 Millbrook Drive, Kirkby Park		
<u>PROPOSAL:</u>	SINGLE STOREY EXTENSION TO FRONT ELEVATION TO FORM EXTENSION TO THE RECEPTION CLASSROOM		

Site Description

The application site is located at Kirkby Church of England School, 1 Millbrook Drive and is located in an area that is allocated as Urban Greenspace and Education Land in the Development Plan.

The site is located on the corner of the junction where Millbrook Drive joins Hall Lane. To the North/North-East of the site are residential dwellings, to the West is a playing field within the site curtilage of the school and opposite the school to the South, is a car park and associated retail and community use facilities.

The proposed area of development is sited 11.29m away from the public highway of Hall Lane. The site features three tall but narrow, mature trees, the most prominent being situated within approximately 3.5m from the proposed site of development.

The present area of where the proposed development would be sited is currently served by a corrugated canopy roof shelter and timber frame structure.

Proposal

The application seeks permission the erection of a single storey extension to the front elevation of the school to form an extension to the existing reception classroom.

The proposed development would have a projection of 2.25m and would have a width of 11.3m. This would see approximately an increase in the footprint of 25.43sqm created. This would be served by a mono-pitched roof with a small pitch elevation which would measure 3.45m at the lowest section and 3.64m at the highest.

This section would sit flush with the roof height of the adjacent section and would act as an infill to the existing dog-legged section of the building. The front elevation of the proposal would be served by an access door and see the insertion of a window.

The existing canopy roof and timber frame structure would be demolished as a result of the proposed development.

The proposal has seen minor amendments. This was to improve the design of the fenestration to ensure it responded positively to the existing openings of the building.

Consultations

Highway Authority - No objections.

Environmental Health – No objections, suggested conditions and informative provided.

Cadent Gas Limited – No objections, subject to informative being attached to the Decision Notice.

Representations

This application has been publicised by letters sent to 39 neighbours. No representations have been received.

Planning History

APP. NO: 11/00327/KMBC1
PROPOSAL: CONSTRUCTION OF A NEW 3 METRE WIDE SHARED FOOTPATH/CYCLEWAY LINKING EXISTING FOOTPATH WITH SCHOOL PREMISES TOGETHER WITH ERECTION OF CYCLE SHELTERS.
DECISION: PER
DECISION DATE: 7 September 2011

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.

The site is identified as a site allocated for Urban Greenspace and Education Land in the adopted Development Plan. As such, an extension to the existing school premises is considered acceptable in principle, subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policy OS7 of the Unitary Development Plan (2006).

**KNOWSLEY LOCAL PLAN: CORE STRATEGY
SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT
PLAN (ADOPTED JUNE 2006)**

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

OS7 - Educational Uses and Sites

Article 35 Statement

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.

Assessment

Saved Policy OS7 in the Replacement Unitary Development Plan states that development for Educational Uses and Sites will be permitted provided that:

1. Proposals for the development of new schools, colleges or other training facilities, or for alterations or extensions to existing educational or training facilities will be granted planning permission provided that they are located and designed in a way which is convenient and accessible to pupils, students and other members of the community which they are intended to serve.
2. The extended and community use of educational buildings and land for wider community purposes and activities (either within existing or new educational facilities) will be encouraged where this is practicable and would not conflict with educational needs, the security of the students or residential amenity.

Design

The design and appearance of the extension would be of an appropriate scale to the existing building. The proposed development would respond positively to the existing building as it would sit level with the adjacent section and would feature a roof that would sit flush and extend the original one; it would also match the pitch of this section of the roof. This would ensure that the proposal would feature an acceptable form and mass, it would not appear incongruous or out of place in the street scene. The proposed development would still leave approximately 11.18m distance from the curtilage of the boundary (and therefore the public highway.)

The proposal would utilise materials that would be in keeping with the existing building and would match these, this would include having external walls which are brick facing on the elevations, would include UPVC openings and felt roofing, to integrate with the existing materials at the application site. The proposed development would also display an appropriate scale and would be a subordinate addition to the original building, which would ensure it would not appear incongruous in the street scene and would harmonise with the existing site.

As stated previously in the report, the submitted plans have seen minor amendments to ensure the design of the proposed fenestration is appropriate and harmonious to the existing dwelling. This is particularly important as the proposed elevation would be readily visible from the highway of Hall Lane and would be considered to hold a prominent position in the street scene. Therefore, it was necessary to ensure that the

openings would respond positively and match the layout in design. This has since been amended and a more appropriate design has now been submitted that is considered more harmonious to the rest of the site. The proposed aluminium doors are considered acceptable.

Saved Policy OS7 states that any extensions of any educational facilities will be granted planning permission provided that they are located and designed in a way which is convenient and accessible to pupils, students and other members of the community which they are intended to serve. The proposed development is considered to display an appropriate design and still facilitate access to and around the site.

Overall, the proposed development would feature an acceptable design and would be in accord with Saved Policy OS7 and Core Strategy Policies CS2 and CS19.

Residential Amenity

The closest residential dwelling to the proposed area of development is situated 52m away from the development. Therefore, it is not considered that the proposed development would result in any significant harm to any residential amenities of the local residents.

The accompanying guidance of Saved Policy OS7 states that, an important factor of any proposal is the relationship with the adjacent area, particularly in terms of visual amenity and impact on neighbours. The proposal by its nature, would not be considered to contravene with this guidance.

Overall, the proposed development would not pose any significant harm to the residential amenity to the occupiers of the nearby residential properties and would be in accord with Saved Policy OS7 and Core Strategy Policies CS2 and CS19.

Highways

The proposed development would be a small, infill extension to the existing building and existing classrooms. It would not create additional classrooms or result in the increase to parking requirements by means of the provision of additional staff etc.

Therefore, the proposed development would not be considered to result in any significant change to the parking safety and highways. This view is supported by the Local Highway Authority, who were consulted on the proposal and raised no objections.

Overall, the proposed development would not cause any detrimental impact on highway safety and would be in accord with Saved Policy OS7 and Core Strategy Policies CS2 and CS19.

Other Issues

Trees

As outlined earlier in the report, there are 3 trees in close proximity to the proposed area of development. The application has not been supported by any Tree Survey, Arboricultural Impact Assessment, etc. However, the trees on site are not under any Tree Preservation Order's and therefore, these could be removed without the requirement for any authorisation or permission. In addition, given the scale of the

proposal, a similar form of development to this scale of development could be completed under Permitted Development Rights and any trees impacted would not be within the remit or enforceable by the Local Planning Authority.

Notwithstanding, these considerations, it would not be deemed proportionate to deter the determination of the application for this situation, given the above reasons. To ensure, however, protection for established trees on site, a condition has been applied for replacement tree planting, on a 2:1 basis for similar species and girth, should any trees be removed to facilitate the construction of the extension.

Environmental Health

Environmental Health were consulted on the application. No objections were received, but suggested conditions were provided. These included a contaminated land advisory note and reporting of unexpected, contaminated land, importation of soil/material and construction hours.

Following further discussions with Environmental Health, these have not been included with this application on the basis that there are no residential dwellings in close proximity to the site of development and the scale of development is not considered to be significant.

An informative instead has been included for a Contaminated Land Advisory Note and details that advise to report any discovered unexpected contamination.

The above has been discussed and agreed with Environmental Health.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

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) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in

June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) Any trees removed from the site in order to construct the extension hereby approved will be replaced on a 2:1 basis, these will include trees which are of the same species and girth of any removed trees. Any replacement tree planting shall be wholly implemented within the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

Reason: In the interests of visual amenity and to ensure the development complies with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/12/2023	30173661-211-06 REV 02	-	EXISTING AND PROPOSED FLOOR PLANS AND ELEVATIONS
17/10/2023	3017366-211_07	-	PROPOSED SITE PLAN
17/10/2023	-	-	LOCATION PLAN

Signed Case Officer¹: **Reece Black**

**Signed Authorising
Officer²:** **K Foster**

Date: **15 January 2023**

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Informatives

1 Contaminated Land Advisory Note

Based on the information available to this division we are not aware of any contamination on this site. 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 4712) 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.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

Reporting of Unexpected Contamination

If contamination is found at any time when carrying out the approved development that was not previously identified it is advisable that the applicant report immediately to the Local Planning Authority. Development on the part of the site affected may have to halt until a risk assessment is completed and submitted to the Local Planning Authority.

2 See attached letter