

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 23/02831/FUL **CASE OFFICER:** Andrew Hunt

WARD: Northwood **PARISH:** N/A

LOCATION: Coach Road Farm, Cut Lane, Kirkby, Knowsley, L33 3AJ

PROPOSAL: VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 22/00299/FUL (CONVERSION OF 1 NO. AGRICULTURAL BUILDING INTO 1NO. DWELLING INCLUDING DETACHED GARAGE TOGETHER WITH CREATION OF ACCESS AND OTHER ASSOCIATED WORKS) TO ALLOW FOR CHANGES TO THE ELEVATIONS INCLUDING REPLACING A WINDOW WITH A DOOR AND CHANGE FROM TIMBER TO UPVC WINDOWS AND DOORS

Site Description

The application site is a large, detached barn situated within a remote complex of farm buildings on Cut Lane. The barn is of historical interest but is not listed or within a conservation area. It is therefore considered to be a non -designated heritage asset.

Proposal

The proposal is for a variation of condition 2 (approved plans) to application 22/00299/FUL. (Conversion of 1 no agricultural building into 1 no dwelling including detached garage together with creation of access and other associated works), to allow for changes to the elevations including replacing a window with a door and change from timber to Upvc windows and doors.

Consultations

N/A

Representations

This application has been publicised by letters sent to 6 neighbours. No representations have been received.

Planning History

The original planning application (22/00299/FUL) was approved on the 21/12/22.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

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

G6 - Conversion or Change of Use of Existing Buildings in the Green Belt

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

The only changes relate to the design of the building, namely the following:

- Replacing a window with a door
- Change from timber to UPVC windows.

Design

The building is considered to be a non – designated heritage asset. In relation to the changes, one of the windows on the south elevation would change to a door. The effect of this would be minor. Due to its location on the south elevation, this change would not be readily visible from outside the site (including the public footpath).

In relation to the change to UPVC windows, the site is not within a conservation area and is unlisted. The UPVC windows proposed are also considered to be of high quality with a flush finish and are part of a specific heritage collection. (Kommerling Heritage Residence Collection) It is considered that they will be consistent with the traditional nature of the building. Given the lack of

Overall, the proposed changes would be acceptable in design terms.

Conclusion

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

RECOMMENDATION:

That Planning Permission be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of the original permission (22/00299/FUL).

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents :-

- a. Biodiversity Enhancement Plan Issue 1.1 (received 28/11/2022).
- b. Ecology Info - (received 18/11/2022).
- c. Upper Floor Plans and sections – MG2022/08D - (received 12/12/2023).
- d. Lower Floor Plans and sections – MG2022/07D - (received 12/12/2023).
- e. Boundary Treatments and Tree planting details - MG2022/03 B - (received 18/11/2022).
- f. Existing and Proposed Site Plans - MG2022/02 D - (received 18/11/2022).
- g. Proposed Garage - MG2022/10B - (received 18/11/2022).
- h. Proposed Elevations – Rev C - MG2022/09 D - (received 12/12/2023).
- i. Dusk Survey Results - (received 04/10/2022).
- j. Location Plan – Rev A - MG2022/01A - (received 29/09/2022).
- k. Arboricultural Method Statement - (received 24/06/2022).
- l. Arboricultural Impact Statement - (received 24/06/2022).
- m. Planning Statement (received 12/12/2023).

Reason: For the avoidance of doubt.

Pre Commencement

3) Contaminated Land

A site completion report shall be submitted for written approval prior to occupation confirming that encountered site conditions were as expected and detailing any necessary remedial actions.

Reason: In order to protect human health and avoid contamination.

4) Written Scheme of Investigation

The Dwelling shall not be occupied until details of the Written Scheme of Investigation (WSI) fieldwork and results have been submitted to and approved by the local planning authority.

Reason: In order to ensure the heritage of the site is appropriately recorded.

5) Nesting Habitat

Compensatory nesting habitat, as described within the submitted biodiversity enhancement plan (Biodiversity Enhancement Plan – Coach Road Farm, Tyrer Ecological Consultants, 25/11/2022) shall be retained on site hereafter.

Reason: In order to provide appropriate nesting habitats.

6) Garage Materials and EVCP

No work shall commence on the proposed garage until both of the following have been completed:

- a) details and samples of the proposed materials have been submitted to and approved by, the Local Planning Authority.
- b) details of an electric vehicle charging point have been submitted to and approved by, the Local Planning Authority. The chargepoint shall be:

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

Reason: In order to ensure appropriate materials and infrastructure is provided.

7) Lighting Scheme

Prior to the installation of any lighting, a lighting scheme shall have been submitted to and been approved by the local planning authority. The lighting shall be installed in accordance with the approved plans and retained hereafter.

Reason: In order to prevent harm to wildlife from inappropriate lighting.

Ongoing Conditions

8) Reasonable Avoidance Measures

During any construction work, the following measures should be taken to reduce potential harm to wildlife.

- a. Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
- b. The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- c. Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Reason: To avoid harm to wildlife.

9) Bats Mitigation

The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in Sections 7.7 to 7.10 of the dusk bat survey report (Dusk Survey Results – Coach Road Farm, Tyrer Ecological Consultants, September 2022) which details the methods for maintaining the conservation status of bats unless otherwise varied by a European Protected Species licence subsequently issued by Natural England.

Reason: In order to protect bats.

10) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: In order to avoid harm to human health from contamination.

11) Importation of Soil/Material

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In order to avoid harm to human health from contamination.

12) Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials do not result in increased risk to the environment or human health.

Reason: In order to avoid harm to human health from contamination.

13) Breeding Birds

No tree felling, scrub clearance, vegetation management or building works is 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 and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason: In order to protect the habitats of breeding birds.

14) Hours of Construction/Demolition

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.

No work shall take place on Sundays or on Public Holidays.

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.

Signed Case Officer¹:

Andrew Hunt

**Signed Authorising
Officer²:**

K Foster

Date:

31 January 2024

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) N/A