

Regeneration and Economic Development Department

APPLICATION NO: 21/00640/FUL
Group Ltd

APPLICANT: Livv Housing Group and Built

WARD AFFECTED: Page Moss

DEVELOPMENT: ERECTION OF 10. NO TWO STOREY SEMI-DETACHED DWELLINGS AND
OTHER ASSOCIATED WORKS

LOCATION OF SITE: Land Adjacent To Moss Green Close, Huyton, Knowsley,

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Development - Primary Residential Development

Town and District Centres - Town And District Centres - Page Moss

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

- CS2 - Development Principles
- CS7 - Transport Networks
- CS15 - Delivering Affordable Housing
- CS19 - Design Quality and Accessibility in New Development
- CS21 - Greenspaces and Trees
- CS24 - Managing Flood Risk
- CS26 - Waste Management
- CS27 - Planning and Paying for New Infrastructure

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

- H5 - Development within Primarily Residential Areas
- DQ2 - Security in the Built Environment
- ENV2 - Noise and Vibration

TECHNICAL CONSULTATIONS:

- Highway Authority - No objections in principle but request conditions.
- Environmental Health - No objections in principle but request conditions.
- Housing Strategy - Support the application.
- United Utilities Water Ltd - No objections in principle.
- Merseyside Fire Brigade - No objections in principle.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 38 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

ARTICLE 35

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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ISSUES AND ASSESSMENT:

PROPOSAL

The application relates to a fenced off vacant and overgrown area of relatively flat land situated at the western end of Moss Green Close; the site is to the rear of shop units fronting Liverpool Road and to the rear of houses fronting Huyton House Road. The existing housing within Moss Green Close is contemporary in design with the houses in Huyton House Road being older of more traditional design. The application seeks planning permission to extend Moss Green Close westwards and form a cul-de-sac towards the western end and to erect 10 three bedroomed houses (5 pairs of semi-detached houses) either side of the extended road and at the head of the cul-de-sac together with associated curtilage areas for each dwelling.

POLICY CONSIDERATIONS

The application site is previously developed land in a residential area and the principle of development is acceptable.

DESIGN, ACCESS AND CRIME PREVENTION

The design of the houses is satisfactory and would be acceptable sited around the extended road. The houses would be traditional and of brick and tile, with a vertical emphasis running through the design, and with slightly differing brick between the ground and first floor front elevation windows to add some muted differentiation on the front of the houses. Five plots would have planting in the front garden areas with parking to the sides. The other plots would either have no planting (plots 1 and 10) or very small areas to the front of the houses (plots 4, 7 and 8) to enable sufficient parking to be sited within the curtilage of the dwellings.

The housing layout is traditional in design as befits the locality. Rear gardens would have differing depths with for example plots 4 having a rear garden of 5.9-6.7m deep up to 9.6m deep for plot 7. Some dwellings would have significant garden areas to the side; for example the front half of the house on plot 4 and the front garden area would have 10.6m to the west side within the curtilage incorporating the parking, and plot 5 would have a rear garden area to the rear of the plot 4 parking area of 10.7m x 6.2m to form an L-shaped rear garden for that property. It is considered that overall the level of curtilage/amenity space is sufficient for the houses in this instance. The proposal would be not be detrimental to the visual amenities of the occupiers of neighbouring dwellings and would not affect detrimentally affect outlook of dwellings. Interface distances within the site are acceptable and would not lead to poor outlook or properties being overbearing, overlooking or privacy issues.

The proposal would be acceptable as an extension of the street scene of Moss Green Close and would improve the visual amenity of the area by the removal of the vacant overgrown area and the fencing around it. The proposal would not impact adversely on the area in terms of crime and anti-social behaviour.

The application complies with Policies CS2 and CS19 of the Local Plan and saved Policies H5 and DQ2 of the UDP.

HIGHWAYS

Site Access

The development is proposed to be accessed via the existing Moss Green Close, through an extension of the western cul-de-sac arm. The addition of 10 dwellings for this cul-de-sac as extended would be unlikely to significantly affect the roads existing operation. There would be 2m footways to allow pedestrian access. A swept path drawing has been provided, which highlights an 11.2m length waste vehicle that is shown to be able to manoeuvre within the turning head provided. As such access to the site is acceptable.

Parking

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Each dwelling would have two car parking spaces within the curtilage in line with Council parking standards.

Traffic Impact

A trip generation exercise has been completed with the submitted Transport Statement. The assessment has highlighted that the proposed development should be expected to generate in the region of 6 two-way trips in the morning peak and 4 two-way trips in the afternoon peak. Whilst the Highways Engineer does not totally agree with the TRICs assessment undertaken, as a less than 10-year range was selected. However, the impact in terms of vehicular trips for 10 dwellings will nonetheless be unlikely to have a significant impact. As such it is considered that the proposal would not have a significant impact on the road network in terms of trip generation.

Existing turning head

The proposed extension of Moss Green Close would require amendments and alterations to the existing cul-de-sac turning head. This would be dealt with as part of any s278 highways agreement.

Accessibility

The site is within an 800m walk of a district/local centre and there are no barriers between the site and this location. Although the site fails to meet the required public transport score, it is noted that high frequency bus stops are around a 500m walk and the development site is of a small scale. No additional highway improvements or funding are therefore considered appropriate for the proposed development.

The Highways Engineer has no objections to the proposal and the application complies with Policies CS2 and CS7 of the Local Plan and saved Policy H5 of the UDP.

RESIDENTIAL AMENITY

The proposal is for the development of the site for houses within a residential area and the principle of the use raises no residential amenity concerns.

Existing properties back onto the site and front Huyton House Road There would be an interface distance of approximately 20.3m between the main rear elevations of the proposed houses (plots 7-10) and the main rear elevations of the houses to the rear (55-63 Huyton House Road). This is slightly closer than the 22m which the SPD suggests is an appropriate distance between existing and proposed rear windows, but does mirror the relationship further along to the east of the site and it is not considered that the proposed development would cause unacceptable privacy or overlooking issues. To the north the flats above the shops would be approximately 20m from the rear elevations of houses on plots 1-4 , so there would be no overlooking or privacy issues raised here, and the same is applicable with regard the building to the west of the site and the houses proposed at the head of the cul-de-sac. Interface distances within the site are acceptable and would not lead to overlooking or privacy issues.

There is around 11m between the rear of plots 5 and 6 and a two storey commercial building, although this is slightly less than the 12m recommended in the SPD to ensure a good level of amenity to new residents, but given the site is west facing and an 11m distance is achieved this is considered acceptable in this instance.

Overall, the proposal would lead to the removal of vacant overgrown site within the existing residential area and would offer existing and future residents an acceptable level of amenity. There would not be any undue negative impacts in terms of amenity, privacy, overlooking or dominance as a result.

Due to the scale of the development and the proximity of existing housing it would be prudent to require a Construction Management Plan to mitigate the impacts of development on the area with regard to noise, dust, mud on the highway, contractors parking, deliveries and so on. Such a condition has also been requested by Environmental Health and the Highways Engineer.

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The application complies with Policies CS2 and CS19 of the Local Plan and saved Policy H5 , DQ2 and ENV2 of the UDP.

OTHER ISSUES

Planning Obligations

The development, if approved, would result in an increase in the number of residents in the area. The area in which the application site is located is in deficit with regard three types of public open space provision (POS), namely Amenity Greenspace, Provision for Children and Young People together with Allotments; the area is in surplus with regard Parks and Countryside. The scheme does not include provision for application is not proposing to provide POS on site.

The additional residents would place additional pressures on existing open space infrastructure. Requiring a financial contribution from the applicant, in order to address these pressures, is consistent with Policies CS4 (Greenspaces and Trees) and CS27 (Planning and Paying for New Infrastructure).

The maximum sum the Council can seek contributions for (from the applicant) needs to be cross referenced and linked to noted projects to be eligible for collection. In this regard, the Council has identified projects to seek contribution for:

1. Project for enhancement of existing Park & Garden = £9083.00

The full £9083.00 payable to the Council as a contribution towards path infrastructure renewal including the resurfacing of the path network located in Jubilee Park Green.

2. Project for enhancement of existing amenity greenspace = £2,838.80

The full sum of £2838.80 payable to the Council as a contribution towards the amenity space at South Alt Green Way in Huyton including bulb planting and / or infrastructure works including path repairs.

3. Project for new provision of children and young people provision = £6,228.00

The full sum of £6228.00 payable to the Council as a contribution towards surface and play equipment renewal in the Jubilee Park play area.

4. Project for enhancement of existing outdoor sports provision = £6557.20

The full sum of £6557.20 payable to the Council as a contribution towards the Jubilee Park Sports Hub Project including improvements to the playing pitches and supporting facilities.

5. project for enhancement of existing allotment provision = £482.80

The full £482.80 payable to the Council as a contribution towards infrastructure works at Cuper Crescent Allotment, Huyton, including building repairs and path repairs

In addition as there would be 10 dwellings there is a requirement for affordable dwelling. This is because whilst it has been noted that the site would be developed for social housing the houses could be lost to social housing provision under Right to Buy legislation. And such there needs to be a mechanism to ensure that should all tenants exercise their right to buy, one affordable house is provided for in the locality to ensure that the affordable housing requirement is maintained, or financial provision to allow put towards affordable housing is secured.

Both the POS financial contribution provision and the affordable housing assurance are to be provided through the entering into of a S106 legal agreement.

Contaminated Land

The site appears to have been undeveloped until the 1925 historical maps which shows 3 small buildings on site (possibly nurseries). This remained unchanged until the 1950's when a ruin is marked in the west of the site and an unspecified property in the north. These are no longer shown in later maps. Google Earth shows the site to be vacant since at least 2000, with housing and commercial properties surrounding the site.

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The site is underlain by boulder clay and Chester Formation.

The intrusive works comprised 8 light dynamic sampling boreholes to a maximum depth of 5mbgl. Gas and groundwater wells were installed in 3 of the boreholes.

The ground conditions comprised topsoil (not recorded at 2 locations) over made ground to depths of between 0.2mbgl and 1mbgl. 6 samples of made ground were tested for a range of contaminants as well as asbestos screening. Elevated lead (5 samples with a maximum concentration of 382mg/kg), arsenic (one sample 53mg/kg) as well as various other contaminants. No asbestos was detected.

Outline remedial options include reducing garden levels by 600mm and placement of a 600mm clean cover system with a geotextile if made ground exists beneath this level.

Ground gas monitoring is to be undertaken on 6 occasions over a three month period. Only one round has been reported with no methane recorded and a maximum carbon dioxide concentration of 1.6%v/v. The additional monitoring visits, as well as a controlled waters assessment, is to be provided in an addendum report.

Taking the above into account, and that an additional addendum is noted to be required by the applicant's consultants, a contaminated land condition is proposed which would require the further investigation, plus remedial measures and verification reports. Environmental Health have no objections but do request such a condition.

Drainage

The site is relatively flat and lies within Flood Zone 1 on the Environment Agency (EA) Flood Map (<1% chance of flooding in accordance with the Flood Zone classifications of the NPPF) and is therefore considered to be at low risk of flooding. The site would connect into the existing sewers in Moss Green Close. It is considered that with suitable drainage systems in place the site would not be a cause of flooding in the area, this can be secured via planning condition.

CONCLUSION

The proposal would improve the visual amenity of the area and the street scene by the development of the vacant overgrown fenced off site with housing which would sit well within the street scene, and would provide three bedroomed family homes for rent with the Housing Strategy Team of the Council being supportive of the application. The development can be delivered without adversely impacting on residential amenity and could be said to improve such as the sites neighbouring properties currently have poor outlook due to the fenced off mature of the site, with the fencing running across the end of Moss Green close providing poor street views of this end of Moss Green Close. The development would be acceptable with regard highway safety both vehicular and pedestrian and would have sufficient parking. On this basis, the application is considered to be acceptable and in accordance with the NPPF and planning policies.

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.

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- 3) No dwelling hereby permitted shall not be occupied until the areas indicated on Site Plan Drawing 414-1-PLN-002 Rev B (Received 10th March 2022) are set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) for that dwelling have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained for each dwelling as such thereafter.

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

- 4) No house hereby permitted shall be occupied until it has been provided with an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space.

All charge points shall be

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

All EV charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome park/travel planning advice.

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

- 5) No part of the development hereby permitted, including any works of demolition, shall be commenced until a Construction Management Plan that details the means of mitigation of construction effects has been submitted and agreed in writing by the Local Planning Authority. This shall include the following:

- a) Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
- b) Methods for dust control and suppression.
- c) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
- d) Methods for the control of pests if apparent on-site.
- e) The areas for the storage of plant and materials.
- f) Location of site compound, including any loading/unloading areas, turning areas for delivery vehicles and construction staff parking arrangements.
- j) Skip provision for use by occupied properties until the site is completed and can be accessed and serviced by Council waste collection vehicles, and details of the waste removal of the said skips.

All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

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- 6) No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00- 13:00 hours Saturday and not at all on Sundays / Public Holidays without the prior written permission of the Local Planning Authority.

Reason: To protect residential amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 7) Notwithstanding the submitted materials schedule no above ground development shall be commenced until samples and details of the proposed external facing materials to be used on walls and roofs and details of all external doors and windows, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted January 2006.

- 8) Notwithstanding any submitted details the development hereby permitted shall not be commenced until a scheme for the provision and implementation of a surface water regulation system to manage the risk of flooding from both overland flow and from the sewer network, has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.

The surface water drainage scheme should be consistent with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: To prevent increased risk of flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to comply with saved Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 9) Notwithstanding any submitted details if the sustainable drainage system is not adopted by a public body or statutory undertaker then, prior to first occupation of any dwelling hereby approved, a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- Details of provision for management and maintenance by a management company.
- A schedule for on-going inspections relating to performance and condition.
- Details for planned maintenance and a mechanism for remedial and urgent repair works.
- Means of access for inspection and maintenance purposes.

The plan shall be implemented and completed in accordance with the agreed timescales contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development and to comply with Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy adopted January 2016.

- 10) Notwithstanding any submitted documents the following shall be submitted to an agreed in writing by the Local Planning Authority:

A. Risk Assessment

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No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (were relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

B. Ground Gas Risk Assessment

No part of the development shall commence until a scheme to deal with the potential risk of Ground Gas at the site has been submitted to and approved in writing by the Local Planning Authority. The Ground Gas Risk Assessment should consider the provision of a pictorial CSM and take into account all credible on-site and off-site gas sources. It is considered that additional intrusive works are likely to be required to inform this Gas Risk Assessment, specifically to reduce data uncertainty and increase data confidence, notably with respect to on-site/off-site sources.

The Gas Risk Assessment should take into account the proposed foundation and floor slab construction of the residential properties in line with current UK guidance. The protection measures to all buildings proposed as part of the residential development should be passive. No active protection measures should be permitted.

C. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

D. Implementation of Approved Remediation Scheme and Verification Report

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

E. 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

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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 the interests of safety, to prevent pollution of the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 11) 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 the interests of safety, to prevent pollution of the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 12) Notwithstanding any details submitted, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks;
- b) Hard surfaced areas and materials;
- c) Planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- d) Detailed regime for the establishment together with ongoing and longer term maintenance of all soft landscaping.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which the landscaping relates, or the first available planting season after if agreed in writing with the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 13) The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1A, 1E, and 2A, or any amendments made to that Order, shall not apply unless on application to the Local Planning Authority, planning permission for such development has been granted.

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Reason: To protect the residential and visual amenities of the area, safeguard the character of this residential development, and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Unitary Development Plan, adopted June 2006.

- 14) Prior to the commencement of above ground works, precise details of existing and proposed site levels shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason: To ensure that the site is developed so that it does not cause harm to residential amenity.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
09/08/2021	-	-	Location Plan
10/03/2022	002	B	Proposed Site Plan
24/09/2021	004	A	House Type 01 - Proposed Floor plans (Plots 1-6)
24/09/2021	005	B	House Type 01 - Proposed Elevations (Plots 1-6)
24/09/2021	008	#	House Type 02 - Proposed Floor Plans (Plots 7 - 10)
24/09/2021	009	#	House Type 02 - Proposed Elevations (Plots 7 - 10)
24/09/2021	011	#	Proposed Street Scenes

Informatives

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:
- 2 Merseyside Fire Authority
- 3 United Utilities

Lee Osborne
27 July 2022

Alan Kilroe
29 July 2022

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