

<u>APPLICATION NO:</u>	23/01990/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	26 Baileys Lane, Halewood, Knowsley		
<u>PROPOSAL:</u>	DEMOLITION OF GARAGE AND THE ERECTION OF 1NO. DETACHED DWELLING AND ASSOCIATED WORKS INCLUDING ALTERATIONS TO DROPPED KERB ACCESS		

Site Description

The site is a corner plot with Baileys Lane to the front and Ronaldsway to the side. The site comprises a semi-detached house and detached garage with associated garden curtilage.

There is hedging to the site boundary which is behind high timber fencing along most of the side boundary, with the remainder of the side hedging and the hedging along the front boundary being behind a low-level brick wall.

Proposal

The proposal is for the demolition of the detached garage to the side of the existing house and to erect a 3-bedroom house fronting Baileys Lane with parking to the front of the house.

The house would have a two-storey bay to the front of the living room and front bedroom and a bracketed window to the other front bedroom, whilst there would be a porch at the entrance. The proposed house would be approximately 7.1m, 7.8m from the front of the bay, with a width of approximately 5.5m, and a height of approximately 7.3m to the ridge of the pitched roof.

Two parking spaces are proposed to the front of the house with access from Baileys Lane. The rear / side garden of the proposed house would retain much of the existing hedging, although some would be lost to allow for the vehicular access.

Consultations

Highway Authority - No objections but request a condition relating to parking provision areas, and the associated footway/verge crossing modifications scheme to be agreed.

United Utilities Water Ltd - No objections in principle but provide informative. UU have advised that a water main is in the vicinity of the site and that it should not be built over or their access to the pipeline compromised. However, this is not a material planning consideration although United Utilities will need to be convinced by the developer that the pipeline and access strip is not impinged upon.

Merseyside Fire and Rescue Authority - No objections in principle but provide informative.

Halewood Town Council - No comments received.

Representations

This application has been publicised by letters sent to 11 neighbours. No representations have been received.

Planning History

K/8056/APP - ERECTION OF DETACHED GARAGE. Granted: 03.05.1984.

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
CS7 - Transport Networks
CS8 – Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees

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

H5 - Development within Primarily Residential Areas
DQ4 - Trees and Development

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

The proposal is for the demolition of a garage to the side of a house and for the erection of a house and the formation of associated curtilage within a residential area. The principle of development is therefore acceptable.

Design and Visual Amenity Considerations

The design of the proposed house is acceptable and in character with the area. The building lines of Baileys Lane and Ronaldsway would be respected and the existing hedging running down the site boundary with Ronaldsway would be maintained. The proposal would not be overly conspicuous or incongruous and would be acceptable within the street scene. The neighbouring properties, 26 Baileys Lane and 1 Ronaldsway, have obscure glazed windows on their gables and as such their outlook would not be adversely impacted upon. The proposal would not be detrimental to the visual amenities of the neighbouring properties or the area in general.

The application complies with Policies CS2, CS19 and CS21 of the Core Strategy and Saved Policy H5 and DQ4 of the UDP.

Residential Amenity Considerations

The proposal is for the demolition of a domestic garage and the erection of a house with associated curtilage within a residential area and raises no residential amenity concerns. Each of the immediately adjacent neighbouring properties to the application site have obscure glazed windows on the gable elevations facing the site and therefore would not suffer loss of privacy whilst their gardens would not suffer overlooking to any significantly greater degree than from existing dwellings. Interface distances between the proposed house and existing dwellings meet or are in excess of adopted Council policy.

The proposal would comply with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Parking and Highways Considerations

The proposed house would have 2 in-curtilage parking spaces to the front, as would the existing house. The parking levels would therefore meet the Council's standard for 3-bedroom houses. The proposal would not be detrimental to highway safety. The Council Highways Engineer has no objections to the proposal but requests a condition requiring the parking and footway modifications shown on the Proposed Site Plan.

The application complies with Policies CS2 and CS7 of the Core Strategy and Saved Policies H5 of the UDP.

Conclusion

The proposal would be acceptable in design and characteristic of the area. The proposal would respect adjacent building lines and sit appropriately within the street scene. The proposal would not be detrimental to the visual and residential amenities of the area and would have sufficient off-street parking. The proposal complies with 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 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) Notwithstanding any description of materials in the application, no above ground construction works (excluding demolition works) shall take place until samples and full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: In the interests of visual amenity 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 and the National Planning Policy Framework.

- 4) All development works shall be in accord with the approved Arboricultural Method Statement (Mulberry: ref - TRE/26BLK) at all times.

Reason: In the interests of tree and hedge protection and to comply with Policy CS2 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) The dwelling hereby permitted shall not be first occupied until the parking provision areas indicated on Drawing 1869 / 02 B and the associated footway / verge crossing modifications have been implemented. For the avoidance of doubt the parking provision shall be hard surfaced, of permeable or porous construction and shall not drain onto the highway.

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.

- 6) The dwelling hereby permitted shall not be occupied until it has been provided with an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space.

The charge point 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.

The EV charging point shall be clearly marked as such and the purpose explained to new occupants (either within their new home welcome park/travel planning advice or separately as appropriate).

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.

- 7) Notwithstanding any details shown on the approved drawings, 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) Boundary treatments.
- d) Planting plans, specifications and schedules, planting size, species and numbers/densities.
- e) A detailed regime for the ongoing and longer-term maintenance of all soft landscaping.
- f) Provision of bat brick/box and bird box.

The approved hard landscaping works shall be implemented and completed prior to the occupation of the dwelling. The approved soft landscaping works shall be implemented and completed prior to the occupation of the dwelling or the first available planting season, whichever is the sooner.

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: In the interests of visual amenity and biodiversity and to comply with Policies CS2, CS8 and 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.

- 8) 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 1 a) - f) and 2 a) - b), or any amendments made to that Order, shall not apply:

- (i) no extensions shall be carried out to the dwelling

- (ii) no buildings, gates, walls, fences or other structures shall be erected within the curtilage of the dwelling
- (iv) no windows or dormer windows shall be added to the dwelling

except as shown on the approved drawings or agreed pursuant to Condition 7 of this planning application unless, on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: To protect the residential and visual amenities of the area 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 June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
29/11/2023	1869/02	REV C	LOCATION PLAN AND PROPOSED SITE PLAN
23/08/2023	1869/03	-	PROPOSED FLOOR PLANS AND ELEVATIONS
24.07.2023	TRE/26BLK		ARBORICULTURAL METHOD STATEMENT (MULBERRY)

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: K Foster

Date: 4 January 2024

Informatives

- 1 United Utilities email and attachment.
- 2 Merseyside Fire Authority attachment.

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

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