

Regeneration and Economic Development Department

APPLICATION NO: 21/00255/FUL
Limited

APPLICANT: TJ Thomas Estates Group

WARD AFFECTED: Page Moss

DEVELOPMENT: ERECTION OF A TWO STOREY DETACHED DWELLING

LOCATION OF SITE: 81 Dinas Lane, Roby, L36 2NN

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Development - Primary Residential Development

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

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

ENV2 - Noise and Vibration

TECHNICAL CONSULTATIONS:

Environmental Health - No objections but request conditions.

Highway Authority - State that 2 X 2m pedestrian visibility splays are required for the access.

United Utilities Water Ltd - No objections in principle.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 65 neighbours. No representations have been received.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

SITE AND PROPOSAL

The application site comprises garden area to the side of a house on Dinas Lane.

The surrounding area is characterised by two storey semi-detached and terraced housing and there is a parade of shops on the opposite side of the road fronting Page Moss Parade service road. However, the adjacent dwelling, 83 Dinas Lane, and the bungalows erected in what was the rear garden of that property, are bungalows. Most dwellings are brick but there are some which are rendered.

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The proposal is for the erection of one detached house together with a vehicular access from Dinas Lane, and associated garden area to the south east of the existing house. The ground floor would comprise of a lounge, hall, WC and utility room to the front and an open plan kitchen and dining area to the rear. The first floor would comprise 3 bedrooms, a bathroom and study. The proposed house would have a brick base to the bottom of the ground floor windows with the remainder of the walls being rendered. The roof would be tiled and pitched.

The property would provide in-curtilage parking for 2 vehicles at the front of the property and a grassed area. A new vehicular access is proposed to serve the new house.

Private amenity garden space would be provided to the rear of the property.

POLICY CONSIDERATIONS

The site is allocated as Primary Residential Land in the Knowsley Local Plan Proposals Map and a residential use would therefore be acceptable in principle. The application complies with the above planning policies.

DESIGN, ACCESS AND CRIME PREVENTION

The site is in a primarily residential area which has a mixed character that includes pre-war and inter-war houses and some later infill development. The proposed development would be sited in the large side garden of one of the larger pre-war houses and adjacent to a bungalow. The scale of the dwelling is acceptable and given its location between those dwellings it would have sit in the plot satisfactorily providing space to both side boundaries and would have a garden area to the front.

The building would align with the house to the east, and the building line would follow that line of building, which would be acceptable in the street scene. The existing house and adjoining property would be angled slightly away, and the next pair angled away again as the houses follow the curve in the road.

The dwelling would sit between two dwellings of different character and there is sufficient space to accommodate it overall the design of the proposal is acceptable and would not be detrimental to the street scene or the visual amenity of the area.

The outlook of the existing house would not be unduly affected by the proposal as the proposed distance between the two dwellings of approximately 6.3m rear corner to rear corner (2.6m from the gable of the new house to the side of the existing garage) and the juxtaposition of the two would mean that the proposed house would not fall within view from the rear windows of the existing house. There is a distance of approximately 3.9m between the neighbouring bungalow and the proposed house and, has two windows on the side. However, the main windows are on the front and rear, and the boundary fence could be 2m in height. As such it is considered that the outlook of the bungalow would not be unduly compromised to a significant degree. The bungalow to the rear of 83 Dinas Lane would have a distance of approximately 20.1m corner to corner between the proposed bungalow and this bungalow. It is considered the outlook between these properties due to the distance between them would be acceptable.

The proposed house would have views over the proposed rear gardens and the street like other such properties, with a window to a landing facing 81 Dinas Lane on the gable. As such the outlook for the future occupiers of the proposed house would be acceptable. No crime or anti-social behaviour issues are raised by the proposal.

The application therefore complies with Policies CS2 and CS19 of the Core Strategy and saved Policy H5 of the UDP.

HIGHWAYS

Two parking spaces are shown to the front of the house which accords with the Council's parking standards. However, the parking space parallel to the pavement may be difficult to manoeuvre to and from, with the access approximately 3.5m wide. However, there are two spaces achievable

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incorporating space to the side of the proposed house, and space to the front. The Council's Highways Engineer notes that pedestrian visibility splays of 2m x 2m should be shown to be satisfactorily achieved. However, the existing telephone service street cabinet will fall within this splay. The NPPF notes that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." As such it is considered that the telephone streetworks cabinet by falling within this splay, and with the scale it is, would not cause severe and unacceptable highway impacts, particularly as an access could be installed to the existing garden with 1m high boundary enclosure and no such visibility splay required (in accordance with the GPDO 2015). However, it recommended that a condition requiring the splays as they would occur on site should be shown, and that the requirements to provide boundary treatment as noted by the Highways Engineer, even though the telephone cabinet falls within the splay, as some improved visibility would entail.

Cycle parking has not been shown but this could be conditioned on the granting of approval.

As such it is considered that the application meets the terms of the NPPF and complies with Policies CS2 and CS7 of the Core Strategy and saved Policy H5 of the UDP.

RESIDENTIAL AMENITY

The proposal is for a house in a residential area and raises no residential amenity concerns. The proposal has been designed to minimise privacy impacts on both 81 and 83 Dinas Lane, with just a landing on the gable of the proposed house facing 81 Dinas Lane, with the gable facing 83 Dinas Lane having no openings. As such the proposal would not impact on the residential amenities of those properties including with regard to privacy. The distance to the bungalow to the rear of 83 Dinas Lane would be of sufficient distance that residential amenity impacts including privacy would be less.

The proposal therefore complies with Policies CS2 and CS19 of the Core Strategy and saved Policy H5 of the UDP.

OTHER ISSUES

There is a tree within the grass verge between the carriageway and pavement to the front of the adjacent the proposed access. The tree is of amenity value to the area. The Council Arboriculturalist has noted that the drive would be within the root protection area of the tree. Drives can be constructed without damaging roots, depending on the construction method. Therefore, the Arboriculturalist has stated that whilst there are no objections to the application a condition is requested requiring an arboricultural method statement to be submitted and approved prior to any works to ensure that the roots are protected.

As such the application complies with Policies CS2 and CS21 of the Core Strategy and saved Policy DQ4 of the UDP.

CONCLUSION

The proposed development is of acceptable design and would be acceptable in terms of the visual amenity of the area and the streetscene. Due to the design, plus the juxtaposition and distance from properties, amenity impacts are considered to be acceptable. The proposal would not have an unacceptable impact on highways safety although the stated pedestrian visibility splays identified by the Highways Engineer would not be met due to the existing telephone service streetworks cabinet being retained and over the stated 0.6m high specified by the engineer for the splays. The application complies with the NPPF and 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 this permission.

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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) No work for the construction of these developments, including deliveries to and from the site shall take place on the site, except between the hours:

08.00 - 18.00 Monday to Friday; and
08.00 - 13.00 on Saturdays.

In particular, no work should be carried out on Sundays or officially recognised public holidays.

Reason: To safeguard the amenities of nearby residents 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.

- 4) Notwithstanding the approved Proposed Site Plan the dwelling hereby permitted shall not be first occupied until a scheme showing pedestrian visibility splays of 2m by 2m to the access has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt a setback of 2m is acceptable and unobstructed visibility is required above 600mm, therefore railings and / or a dwarf wall can be accommodated within the splay. The agreed scheme shall be installed prior to the first occupation of the dwelling hereby permitted. If the visibility splays can only be partly met the scheme shall identify clearly why this is so, although the boundary treatment as identified in the scheme shall be installed to the requisite splay lines and so maintained thereafter at all times that the proposed dwelling is in use.

Reason: In the interests of highway safety and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 5) Notwithstanding any details shown on approved drawings no above ground works shall take place until a scheme for the parking of two cars shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be brought into use until the agreed scheme has been implemented and shall be retained at all times thereafter.

Reason: To ensure that adequate on-site vehicle parking is provided in the interests of highway safety and to comply with Policies CS2, CS7 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.

- 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.

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.

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

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 107.

- 7) Notwithstanding any details submitted the dwelling shall not be first occupied until a scheme for the provision of cycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

The approved scheme shall be implemented before first occupation of the dwelling and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for the secure parking of cycles in the interests of sustainable transport and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 8) The development hereby permitted shall not be commenced until an Arboricultural Impact Study and Method Statement has been submitted to and approved in writing by the Local Planning Authority with regard to the tree within the highway grass verge to the front of the site. The development shall be implemented in accordance with these approved details.

The plans and particulars shall include:

- (a) The precise location of the existing tree and the crown spread of the tree and allocating a reference number to it.
- (b) Details of the species, approximate height in metres, stem diameter in millimetres at 1.5 metres above ground level, branch spread in metres taken at the four cardinal points, height in metres of crown clearance above adjacent ground level, age class, condition, estimated remaining contribution in years and category grading of the tree;
- (d) Details of any proposed alterations in existing ground levels and of the position and depth of any proposed excavation.
- (e) The location of all proposed building works, roads, driveways or other development in relation to the tree.

The Arboricultural Impact Study shall include:

- a) Details of any likely impact to the tree due to alterations in existing ground levels, position and depth of any proposed excavations, location of any proposed buildings, roads, driveways, walls, services or any other development works on or adjacent the site;

The Method Statement shall include:

- a) Details of a recognised construction method to ensure that no root damage to the tree occurs, to be used in the construction of the drive.

All works identified in the tree survey shall be in accordance with British Standard documents No's 3998:2010 and 5837:2012.

No part of the development, or works to trees, shall be carried out except in accordance with a relevant approval of this condition.

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Reason: To ensure that the construction of the drive does not damage the tree or its roots in the interests of visual amenity and to comply with Policies CS2 CS19 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 9) 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) 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) Existing plants / trees to be retained
- e) Detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by 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 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.

- 10) Notwithstanding any details shown on approved drawings details of all means of enclosure (including walls, fences and gates) shall be submitted to and approved in writing by the Local Planning Authority. The means of enclosures indicated on the approved scheme shall be constructed in accordance with that scheme before the dwelling hereby permitted is first occupied.

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 June 2006.

- 11) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and full specification of materials to be used externally on the house 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. 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.

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- 12) Prior to any above ground works details of the gas and electricity meter cupboards shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include elevation drawings showing the location of the meter cupboards, and the colour of the doors. The agreed scheme shall be implemented prior to the first occupation of the house retained at all times thereafter that the house is on site.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy and saved Policy H5 of the Knowsley replacement Unitary Development Plan adopted June 2006.

- 13) 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 dwelling being first occupied.

Reason: In the interests of human safety and the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 14) 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 in writing 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 human safety and the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order) no windows or openings shall be inserted in the gable elevations of the dwelling hereby permitted other than those shown on the approved plans.

Reason: In the interests of privacy having regard to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H8 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
23/03/2021	000	-	Location Plan
23/03/2021	002	-	Proposed Site Plan
23/03/2021	002	-	Proposed Floor Plans
07/04/2021	004	-	Proposed Front and Gable Elevations
23/03/2021	005	-	Proposed Rear and Gable Elevations

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Informatives

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

Lee Osborne

4 August 2021

Alan Kilroe

6 August 2021

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