

Agenda



Knowsley Council

8 January 2025

To: The Chairperson and Members of the
Planning Committee

Dear Councillor

A Meeting of the **PLANNING COMMITTEE** will be held on **Thursday, 16th January, 2025**, in the Council Chamber, Municipal Buildings, Huyton at **6.00pm**.

If you have any queries regarding this meeting, please contact Keith Glover on telephone number 0151 443-3502.

Yours faithfully

Chief Executive

Please Note:-

1. *(Please Note: Access to the Council Chamber is limited and members of the public or press wishing to attend in person are strongly advised to register in advance by emailing committees@knowsley.gov.uk or telephoning (0151) 443 2679. Attendees will be required to show photographic identification and will be subject to [security checks](#). Please note that meetings will also be live streamed. The live stream can be accessed from the following link - <https://knowsley.public-i.tv/core/portal/home>.)*
2. *If you have submitted a representation in respect of any of the planning applications that are included on the agenda for determination at this meeting, and wish to speak at the meeting, there is a procedure to be followed which can be accessed via the link below:-*

<https://www.knowsley.gov.uk/residents/building-and-planning/make-a-planning-application/speaking-at-planning-committee>

Membership of the Planning Committee

Councillors

S Donnelly	(Chairperson)
Mrs D Arnall	Ms J Harvey
Mrs C Bannon	Ms J Lilly
D J Baum	Mrs J E Lonergan
H Bell	K W McGlashan
T Brennan	G J Morgan
M Burke	Mrs S Powell
T Byron	I Smith
A J Flute	K Taylor
R Gaffney	Ms A Wright
G Golding	

(Note: The Agenda and Reports are circulated to all other Members of the Council for information only.)

A G E N D A

PART I

APOLOGIES

1. DECLARATIONS OF INTEREST

2. MINUTES

To receive as a correct record the minutes of the meeting of the Committee held on 12th December 2024.

(Pages 1 - 2)

3. APPLICATIONS FOR PLANNING PERMISSION

To consider the reports of the Executive Director (Regeneration and Economic Development) in respect of the following applications for planning permission.

(Please note that:-

- (i) Background Papers to the planning applications referred to in this agenda comprise the following: -
 - 1. The planning application as submitted or subsequently revised including all forms and plans, etc.
 - 2. The application case sheet, inspection report, photographs, etc.
 - 3. An Ordnance Survey sheet extract showing the application site and the surrounding area.
 - 4. Standard planning conditions as adopted by the Council.
 - 5. Relevant policies from the Unitary Development Plan as appropriate.
 - 6. Copies of all statutory and non-statutory consultations and related correspondence except where they are strictly confidential.
 - 7. The relevant planning history of the application site.

Specific documents, which have been used as a background paper for a particular planning application, and which are not included in the above, are detailed as appropriate at the end of the individual report concerned. Please contact the planning services team (0151 443 2381 or via email at Dcsubmissions@knowsley.gov.uk) to arrange inspection of these files and documents; and

- (ii) Details of the contact officer is contained in the individual report and additional information/some background papers can be found on the [Public Access](#) site via the link shown beneath each planning application below).

- (a) **24/00352/FUL - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF AGRICULTURAL LAND TO TWO DOG EXERCISE AREAS - LAND AT NORTH END LANE, HALEWOOD, LIVERPOOL, L26 5QB**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 24/00352/FUL in the search box

(Pages 3 - 22)

- (b) **24/00371/FUL - CHANGE OF USE FROM RESIDENTIAL DWELLING (C3 USE) INTO CHILDREN'S CARE HOME (C2 USE) - 73 ST HELENS ROAD, PRESCOT, KNOWSLEY, L34 6HP**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 24/00371/FUL in the search box

(Pages 23 - 34)

- (c) **24/00492/FUL - VARIATION OF CONDITION 6 TO PLANNING PERMISSION 24/00038/COU (CHANGE OF USE FROM THE EXISTING CLASS E(A) TO HOT FOOD TAKEAWAY (SUI GENERIS), ALONG WITH INSTALLATION OF AN EXTERNAL EXTRACTION FLUE TO THE REAR OF THE PREMISES) TO ALLOW OPENING HOURS OF 08:00 TO 00:00 MONDAY TO SATURDAY AND 10:00 TO 00:00 ON SUNDAY - SELF PICK VEG, 66 ECCLESTON STREET, PRESCOT, KNOWSLEY, L34 5QL**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 24/00492/FUL in the search box

(Pages 35 - 46)

- (d) **24/00125/FUL - ERECTION OF TWO STOREY SIDE AND REAR EXTENSION - 14 WILLIS LANE, WHISTON, KNOWSLEY, L35 3RU**

Additional information in relation to this item can be obtained on Public Access via the following link:-

<https://planapp.knowsley.gov.uk/online-applications>

and entering 24/00125/FUL in the search box

(Pages 47 - 58)

4. DELEGATED PLANNING DECISIONS

To consider the report of the Head of Planning and Building Control.

(Pages 59 - 66)

5. TOWN AND COUNTRY PLANNING ACT 1990 - APPEAL DECISIONS

The Head of Planning and Building Control to report on the following appeal decisions taken by the Planning Inspectorate in respect of 89 Bearswood Road, Liverpool, Merseyside, L33 2AF.

(Pages 67 - 68)

6. ANY OTHER ITEM(S) WHICH THE CHAIRPERSON DEEMS TO BE OF AN URGENT NATURE

PART II

Under Section 100A(4) of the Local Government Act 1972, and having satisfied the requirements of paragraph 10, the public may be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the undermentioned paragraphs of Part 1 of Schedule 12A to the Act.

**Exempt
Under
Para (s)**

7. ENFORCEMENT UPDATE

To consider the report of the Head of Planning and Building Control.

(Pages 69 - 78) 6a, 6b

8. ANY OTHER ITEM(S) WHICH THE CHAIRPERSON DEEMS TO BE OF AN URGENT NATURE

APPLICATION NO: 24/00125/FUL

APPLICANT: Mr Paul Nicholson

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT:

ERECTION OF TWO STOREY SIDE AND REAR EXTENSION

LOCATION OF SITE:

14 Willis Lane, Whiston, Knowsley, L35 3RU

DEVELOPMENT PLAN ALLOCATION:

Primarily Residential Area

REPRESENTATIONS:

Two periods of public consultation have been undertaken, five objections were received following the initial period of consultation and three objections (from previous objectors) were received following the second period of consultation.

RECOMMENDATION:

That Members delegate authority to the Head of Planning & Building Control to grant planning permission subject to the conditions set out in the attached schedule.

CASE OFFICER:

Andrew Hunt (0151) - 443 2204

SUMMARY:

This application is for the erection of a two-storey side and rear extension.

The relevant key issues are:

- The principle of development
- Impact on amenity
- Impact on parking
- Impact on the character of the area

1. SITE AND SURROUNDINGS

- 1.1 The application site is an end terrace dwelling located within a residential area at Willis Lane, Whiston. The property has a patio area at the front which is used for parking and the dwelling sits approximately 1m higher than this area.
- 1.2 The dwelling is located in a primarily residential area and sits at an oblique angle to the neighbouring property to the west (16). There are other dwellings to the north on Windy Arbor Road, south and east on Willis Lane. The site at the time of the site visit was unoccupied and in a state of dereliction, some works have already begun on removing the previous single storey rear extension but these could be classed as “permitted development” because they would involve demolition.

2. PROPOSAL

- 2.1 This application is for the erection of a two-storey side and rear extension. The extension involves the demolition of the existing ground floor rear extension (which has been carried out) and a new two storey side and rear extension. The design of the extension has been amended and would now have a hipped roof, with windows at the front of the house facing the street.
- 2.2 The footprint of the additional side extension would be between 2.4 and 2.8 metres wide (it is slightly wider at the rear) and 7.3 metres long. The extension would increase the number of bedrooms from 2 to 3.

3. RELEVANT SITE HISTORY

An application was approved for a first-floor extension over existing ground floor extension (74/06513/HIST – approved 1/12/1981).

4. ARTICLE 35 STATEMENT

- 4.1 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.

5. EQUALITIES ACT 2010

- 5.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.
- 5.2 Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:
- eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.3 In this case, the proposed development is not anticipated to have any potential impact from an equalities perspective.

6. REPRESENTATIONS

- 6.1 Two periods of consultation have been undertaken. Objections from 5 properties were received following the initial period of consultation and a further 3 objections (from previous objectors) were received following the second period of consultation which was undertaken following the receipt of amended proposals.
- 6.2 The points of objection are summarised below:
- Concerned about privacy effects from balcony.
 - Overshadowing and loss of natural light.
 - Over development of the area.
 - House will be out of character for the area due to the size of the extensions.
 - Loss of privacy from the front window of the extension.
 - Unsightly Construction.
 - Inadequate parking.
 - Structural Stability risks
 - Potential Impact on property structure.
 - Mine Gas emissions and ground contamination.

- Concerned about insurance.
- Concerned about maintenance and repair.
- The property will be turned into a HMO.
- Pest Problems.
- It will make it more difficult to sell my home in future.
- The extension would prevent me from being able to extend my dwelling.
- I am concerned over the impact of the proposal on drainage.
- The removal of the previous kitchen extension has damaged my property, for which I have sought legal advice.
- The proposal involves building over drainage.

7. CONSULTATIONS

No consultations are required for this application.

8. POLICY CONTEXT

8.1 Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2024), an extract from which is set - out below, states that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

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 usually 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.”

- 8.2 In this regard, the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision under the provisions of paragraph 232 of the latest NPPF. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.
- 8.3 The site is designated as within the Primarily Residential Area. The relevant adopted policies for the assessment of the application are listed below.

Local Plan: Core Strategy (2016)

SD1 - Sustainable development
CS2 - Development Principles
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development

Knowsley Replacement Unitary Development Plan (Saved Policies, 2009)

H5 - Development within Primarily Residential Areas

Supplementary Planning Documents (SPDs)

Householder Development SPD

9. ISSUES AND ASSESSMENT

Principle of the Development

- 9.1 Replacement UDP Saved Policy H5 (Development Within Primarily Residential Areas) states that: new development within the Primarily Residential Areas which is for uses appropriate to a residential area will be permitted provided that the development would not:

- Have an unacceptable impact on the amenity of neighbouring occupiers by reason of noise, disturbance, overlooking, visual intrusion smells, fumes, on-street parking or other causes; or
 - Adversely affect the character or street scene of the area.
- 9.2 The proposal is for an extension of an existing (although dilapidated) residential dwelling (C3) such development is appropriate to a residential area and will be acceptable provided it does not have an unacceptable impact on the amenity of neighbours or the character of the area.

Residential Amenity

- 9.3 Paragraph 2(a) of Core Strategy Policy CS19 states that development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.
- 9.4 Paragraph 7.2 of the Householder Development SPD states that side extensions should be designed to avoid causing direct overlooking or loss of light to main habitable rooms in neighbouring dwellings.
- 9.5 In relation to number 16 Willis Drive, the extension would reduce light and outlook to the dining room side window of number 16, however, this property has a joint kitchen/dining room with a large rear window. This window allows sufficient light and outlook for the kitchen and dining room. As a result whilst the extension would cause loss of light and outlook to the dining room of 16, the level of harm would not be significant enough to justify refusal of the application.
- 9.6 In relation to 12 Willis Drive, at ground floor the extension would not significantly project beyond the existing extension of number 12 and would not cause any significant harm to the amenity of 12 Willis Drive. At first floor the nearest window of number 12 to the proposed development is a bathroom window and therefore any impact from the extension would not affect light or outlook to a main habitable room. Overall, the extension would not result in significant harm to the amenity of no 12. It is also considered that the Juliet balcony will not lead to significant loss of privacy as the balcony is approximately 2.4 metres away from the boundary with number 12, this means that any overlooking would be limited to the far end of number 12's garden and would be insufficient to warrant refusal of this application.
- 9.7 In relation to other properties, the relation between numbers 14 and 16 mean that there is little or no prospect of overlooking the garden of

number 16 from the balcony and it is considered that the Juliet balcony will not result in significant harm to the privacy of properties on Windy Arbor Road as they are located a considerable distance (over 35 metres) away from the extension.

- 9.8 It is considered that the proposals would not cause unreasonable harm to amenity and the application complies with Paragraph 2(a) of Core Strategy Policy CS19 and the Householder Developer SPD.

Design and Impact on the Character of the Area

- 9.9 Paragraph 1(a) of Core Strategy Policy CS19 states that new development within Knowsley will be expected to respond to and integrate positive characteristics of immediate surroundings, including local materials, scale, mass, form, layout, alignment and density of the existing built environment.
- 9.10 National Planning Policy Framework (NPPF) paragraph 135(c) requires that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 9.11 The application in its original form included a flat roof and a solid brick wall facing towards the street at floor ground level. This has been amended in revised plans and now the proposal has a hipped roof, and a door and window at ground level facing the street. As a result, the extension would be a harmonious addition to the dwelling that is consistent with the character of the area. The materials proposed would be rendered blockwork. The windows and doors would be black, which is considered an appropriate colour.
- 9.12 In terms of the scale of development, the scale of the extension is reasonable in relation to the existing dwelling and the size of the plot (which is slightly larger as it is an end dwelling). The extension would also be set back from the front of the house by 4.5metres, which ensures the visibility of the extension is minimal from Willis Lane.
- 9.13 It is considered that the proposal would not cause harm to the street scene and the application complies with Paragraph 1(a) of Core Strategy Policy CS19 and paragraph 135 of the NPPF.

Highways

- 9.14 NPPF Paragraph 116 sets out 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, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 9.15 Core Strategy Policy CS7 (Transport Networks) states that new development will be required to be:
- Located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles.
 - In compliance with adopted cycle, car, disabled and service vehicle parking standards for different types and scales of new development.
- 9.16 The Householder Development SPD requires 2 parking spaces for a 3-bedroom property and two parking spaces are already available to the front of the property Therefore, the proposal complies with relevant parking standards and there would not be significant harm to highway safety.
- 9.17 Overall, the proposal will not lead to unacceptable impacts on highway safety or parking. Therefore, the application is consistent with NPPF paragraph 116, and Policy CS7 of the Local Plan Core Strategy

Other Considerations

- 9.18 In relation to issues of structural stability, damage to property, repair, or insurance costs are not material planning considerations. In relation to the suggestion that the property may be turned into a house of multiple occupation (HMO), this is not part of the current application and only the impacts of the extension can be considered. In relation to the potential impact of building over drainage equipment, this would not be a planning matter but would be between the applicant and the owner of the drains. This matter is covered by Building Control.
- 9.19 In terms of mine gas and construction, this is a pre-existing issue and is dealt with under separate legislation. In relation to pests, this could be addressed through pest control measures.

10. CONCLUSION

- 10.1 The development is acceptable in principle and would not cause unacceptable harm in relation to parking, the character of the area, or the amenity of neighbouring properties.
- 10.2 In conclusion, the proposed development would comply with policies included within the Knowsley Local Plan Core Strategy (2016), Knowsley Replacement Unitary Development Plan (saved policies 2009) and National Planning Policy Framework (2024).

11. RECOMMENDATION:

- 11.1 It is recommended that Members delegate authority to the Head of Planning & Building Control to grant planning permission subject to the conditions set out in the attached schedule.

SCHEDULE OF CONDITIONS

1.	Time Limit	Advisory
2.	Plans List	Advisory
3.	Materials	Ongoing

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