

<u>APPLICATION NO:</u>	24/00576/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Cherryfield	<u>PARISH:</u>	
<u>LOCATION:</u>	The Bracknell Centre, Bracknell Avenue, Southdene		
<u>PROPOSAL:</u>	DEMOLITION OF EXISTING PORTABLE TYPE BUILDING AND ERECTION OF BUILDING PROVIDING 3 NO. CLASSROOMS, STORE AND WASHROOM FACILITIES		

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION:

Urban Greenspace and Education Land

Site Description

The application site relates to an existing specialist further education college. The premises are located off Bracknell Avenue, Kirkby. The site is surrounded by residential dwelling to the north on Bracknell Avenue and to the east on Cawthorne Close. Bluebell Park school is located to the south, separated by the school's playing fields. Kirkby High School is located to the west of the application site.

The premises are accessed from vehicular and pedestrian entrances from Bracknell Avenue.

The site is served by a car parking area to the east of the main college building and a further parking area immediately to the front of where the existing modular building both accessed off Bracknell Avenue.

Proposal

The application seeks approval for the removal of an existing modular classroom building and its associated ramp and the erection of a replacement modular building in the same location.

The application indicates that the existing building is in poor condition and needs replacing and have confirmed that the number of staff and students would remain the same as at present.

Consultations

Merseyside Fire And Rescue Authority - No objections, request any decision advises the applicant in relation to access for firefighting and water provision.

Merseyside Police HQ - No objection in principle. Provide advice that the Merseyside Police Designing Out Crime Unit strongly advocate that all new and refurbishment developments be designed and constructed to Secured By Design security standards.

United Utilities Water Ltd - No objections. Provides information for the applicant in relation to UU assets and Infrastructure and advises will not allow building over or in close proximity of UU infrastructure, water main or public sewer or any other wastewater pipeline

Representations

This application has been publicised by letters sent to 26 neighbours. It has also been advertised by Site Notice. No representations have been received.

Planning History

APP. NO:	94/00355/APP
PROPOSAL:	SITING OF PORTABLE TYPE BUILDING TO PROVIDE TEMPORARY CLASSROOM ACCOMMODATION
DECISION:	Granted
DECISION DATE:	1 August 1994
APP. NO:	99/00267/APP
PROPOSAL:	ERECTION OF SINGLE STOREY EXTENSIONS TO PROVIDE CLASSROOMS AND
DECISION:	Granted
DECISION DATE:	13 July 1999
APP. NO:	99/00759/APP
PROPOSAL:	ERECTION OF SINGLE STOREY DOUBLE CLASSROOM MOBILE UNIT
DECISION:	Granted
DECISION DATE:	17 January 2000
APP. NO:	07/01070/KMBC1
PROPOSAL:	ERECTION OF DETACHED GARAGE TO ACCOMMODATE 3 NO. VEHICLES
DECISION:	Granted
DECISION DATE:	14 May 2008
APP. NO:	13/00780/COU
PROPOSAL:	CHANGE OF USE FROM D1 TO SUI GENERIS INCLUDING A3 (CAFE), AND D1 (COMMUNITY LEARNING FACILITY)
DECISION:	Granted
DECISION DATE:	4 March 2014
APP. NO:	14/00746/FUL
PROPOSAL:	CHANGE OF USE OF PART OF EXISTING SITE (D1 AND SUI-GENERIS USE) TO FORM HORTICULTURAL LAND (USE CLASS SUI GENERIS) TO PROVIDE EDUCATIONAL COURSES AND COMMUNITY ACCESS COMPRISING OF RAISED PLANTING BEDS, COMMUNITY GROWING BEDS, ORCHARD PLANTING AREA & ERECTION OF GREENHOUSE AND COMPOST BINS TOGETHER WITH PROVISION OF

ADDITIONAL CAR PARKING BAYS FOR LOADING &
UNLOADING OF EQUIPMENT/GOODS.
DECISION: Granted
DECISION DATE: 28 January 2015

APP. NO: 19/00500/FUL
PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION
DECISION: Granted
DECISION DATE: 23 October 2019

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.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

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

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

OS7 - Educational Uses and Sites

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 application site is allocated as Urban Greenspace and Education Land on the Local Plan Policies Map. Saved Policy OS7 relates to of the UDP states that:

- 1) *Proposals for the development of new schools, colleges or other training facilities, or for alterations or extensions to existing educational or training facilities will be granted planning permission provided that they are located and designed in a way which is convenient and accessible to pupils, students and other members of the community which they are intended to serve.*
- 2) *The extended and community use of educational buildings and land for wider community purposes and activities (either within existing or new educational facilities) will be encouraged where this is practicable and would not conflict with educational needs, the security of the students or residential amenity.*

The explanatory text to Saved Policy OS7 state that the “Council intends to ensure that, where new schools are proposed, or significant extensions to existing ones, these are located so as to be of maximum accessibility and convenience to the communities which they are intended to serve...An important factor is the relationship with the adjacent area, particularly in terms of visual amenity and impact on neighbours (light pollution, noise, hours of operation, intensity of use, possible after-hours anti-social behaviour, etc).”

Policy CS21 of the Local Plan seeks to ensure that:

An appropriate quantity of diverse, accessible and high quality open and greenspaces can contribute significantly to people's quality of life, the overall achievement of prosperous, vibrant and sustainable neighbourhoods and enhancement of Knowsley's image. Open and greenspaces have a key role in the protection of the environment, providing habitats for flora and fauna, and enhancing the health and wellbeing of communities by encouraging physical activity and exercise.

Criterion 2) states that new development which would result in the loss of urban greenspace, will not be permitted unless specific criteria are met and irrespective of whether criteria in 2) are met, unless the benefits of a proposal clearly outweigh the loss of urban greenspace, development will be resisted where it would significantly harm any existing or potential special qualities of greenspace in the area in terms of:

- a) Visual amenity;
- b) Residential amenity;
- c) Biodiversity and environmental benefits;
- d) Historical, cultural or community value;
- e) Recreational benefits; or
- f) Physical and/or visual linkages between adjoining urban greenspaces.

The proposed development would be located on a site currently occupied by a modular building of a larger size. It would be sited on the existing hard surfaced area and as such would not result in loss of existing Greenspace or Education Land and would be accessible. In this instance, the modular building would continue to

facilitate the operation of the college and it would enhance the education provision by supporting the established college use.

Having regard to the above, it is considered that the principle of the development would be acceptable, subject to there being no detrimental impacts in relation to the other material planning considerations as discussed below.

Layout

The proposed building would be an educational building which would be ancillary to the main college. It would be located on a site that is currently occupied by an existing portable type building.

The proposed building would be a single storey flat roof classroom with a footprint area of 22 m by 8 m (176 m²); smaller than the existing building which has a footprint of 30 m by 10 m (300m²). The building would attain a maximum height of 3m.

Internally the building would provide three classrooms, each approx. 32m² in area. In addition, the building would provide two small storage areas and a W.C and circulation space.

Design

The existing building is finished in timber cladding with a flat roof with both timber and uPVC windows and timber doors. The proposed building would be clad in shadow gap cladding to the elevations of the building. Shadow gap cladding is a modern type of timber cladding which features timber boards with small gaps between each piece, creating a shadow line effect. It is understood that this material allows for the natural expansion and contraction of the wood, ensuring long-term durability and stability.

In terms of the external materials these would comprise of the following:-

External cladding - composite shadow gap cladding colour Antique Grey .

Windows and doors - uPVC colour Anthracite

Roof - EPDM (ethylene propylene diene terpolymer) single ply rubber roofing membrane. colour Grey.

Facias soffit and rainwater goods - Black uPVC

The proposed development would display an appropriate design and facilitate access to and around the site.

Overall, the proposed development would feature an acceptable design and would be in accord with Saved Policies H5 and OS7 and Core Strategy Policies CS2 and CS19.

Crime and Security

Policy DQ2 of the UDP seeks to ensure that new development is designed so as to provide good levels of personal and property security. Merseyside Police have

advised that they strongly advocate that all new and refurbishment developments be designed and constructed to Secured By Design security standards. They further advise that in order to prevent crime and disorder and to keep people safe and feeling safe, crime prevention strategies should be integrated into the design as early as possible to allow a layered approach to security to be effectively integrated into the final scheme. If planning permission is granted then this advice would be passed onto the applicant via an informative.

The proposed development does raise any significant concerns regarding crime and security. The proposal does not conflict with the NPPF, Saved Policies DQ2 and H5 of the UDP and Policies CS2 and CS19 of the Local Plan.

Highways

The applicant's agent has confirmed by email. that the proposed development would not result in an increase in staff or pupil numbers attending the college site.

The application would not impinge on existing parking provision. It would not create additional classrooms than currently exist nor result in the need to increase parking provision on the site due to additional students or staff etc. It is not anticipated therefore that the development would increase the number of vehicular movements to and from the site or the need for additional parking provision.

The proposed development would not cause any detrimental impact on highway safety and would be in accord with Saved Policy OS7 and Core Strategy Policies CS2, CS7 and CS19.

Residential Amenity

The accompanying guidance of Saved Policy OS7 states that, an important factor of any proposal is the relationship with the adjacent area, particularly in terms of visual amenity and impact on neighbours. The proposal by its nature, would not be considered to contravene with this guidance.

The submitted information indicates that the development would not result in an increased number of students or staff and as such there would be not increased activity on the site.

The building would be sited in excess of 50 m from the nearest residential properties on Bracknell Avenue (Nos. 40 & 42) and it would replace an existing building of similar scale. The site is enclosed by existing palisade fencing and would be partly set behind an existing detached garage building which would in part screen the modular building.

The applicant's agent has confirmed that the proposed building would be constructed / assembled on site and there would no requirement for a crane to deliver it onto the site. It is inevitable that some disturbance would occur during the delivery and construction of the unit. Nevertheless, this would be for a temporary period only and separate legislation is in place to ensure that this is controlled. It is not considered in this case given the nature and scale of the development proposed that there is a requirement to control the construction by way of a construction management plan in this instance, although it is recommended that if planning permission is granted that the hours of construction are controlled by way of a suitable planning conditions.

In terms of the operation of the proposed building, given the distance that the building and that it would be a replacement of an existing building, the impact of the proposal on the surrounding properties is not considered to be significantly greater than the use of the existing modular building and would not result in a detrimental impact to a degree that would warrant refusal. the application.

Overall, the proposed development would not pose any significant harm to the residential amenity to the occupiers of the nearby residential properties and would be in accord with Saved Policy OS7 of the UDP and Core Strategy Policies CS2 and CS19.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) requires developments to leave the natural environment in a better state than before. However, there are certain exemptions to this requirement. The de minimis exemption applies where:

- the development must not impact on any onsite priority habitat; and
- if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow)

Existing sealed surfaces such as tarmac or buildings are assigned a zero score in the statutory biodiversity metric, meaning that these surfaces are effectively exempted from the 10% net gain requirement.

The proposed building would be located on an existing area of hardstanding and as the proposed building would have a smaller footprint than the building to be replaced, it is also proposed to provide a small, grassed area to the side.

Drainage and Flood Risk

Core Strategy Policies CS2 and CS24 combine to ensure that development will not cause unacceptable risk of flooding and that surface water will be safely and sustainably drained.

The building would sit on an existing hardstanding and the site lies within Flood Zone 1. Surface water and foul drainage exists on site serving the existing building. The replacement building would be linked to the existing drainage.

It is not considered that the proposal raises any drainage or flooding concerns and as such would comply with Policies CS2 and CS24 of the Core Strategy.

Conclusion

The proposal would not result in any loss of greenspace provision. The modular building would be acceptable in terms of its design and appearance. It is not considered that the siting would result in detrimental harm to the amenities of surrounding occupiers and there would be no significant highway safety issues arising from the development.

It is considered that the proposed development complies with the NPPF and with relevant Core Strategy and Replacement UDP policies and that there are no other material considerations that would justify refusal. It is therefore recommended that the application is approved subject to relevant conditions.

Recommendation

That planning permission be granted subject to the following conditions:

- 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) The development hereby permitted shall be constructed entirely of materials specifications / details of which are indicated in the application.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2024), Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006 and the Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 4) No roller shutters shall be fitted to external doors and windows unless precise scheme details have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2024), Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006 and the Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 5) No external lighting to be installed on the site in association with the approved development unless precise scheme details have first been submitted to and agreed in writing by the Local Planning Authority.

The details shall include, but not be limited to, the following:

- The type, number, and location of all external lighting fixtures.
- The design and appearance of the lighting fixtures.
- The intensity of illumination and the spread of light (including lux levels).
- Measures to minimize light spillage and glare, particularly to neighbouring properties and wildlife habitats.
- The operational hours of the lighting.

The approved external lighting scheme shall only be implemented in accordance with the approved details and shall be maintained as such thereafter.

Reason: To ensure that the external lighting is appropriate for the site and its surroundings, in the interest of visual and residential amenity and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy OS7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 6) No demolition or 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: In the interests of protecting the amenity of neighbouring occupiers and to comply with the National Planning Policy Framework (2024), Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan:Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
31/01/2025	AL1	-	LOCATION PLAN
31/01/2025	-	-	PIRANHA COMPOSITE SOLUTIONS SHADOW GAP CLADDING TECHNICAL SPECIFICATION
30/01/2025	-	-	EMAIL FROM AGENT - MATERIAL DETAILS / COLOURS
18/12/2024	AL3	-	LOCATION PLAN SCALE 1:1250 (PROPOSED)
18/12/2024	AL2	-	LOCATION PLAN SCALE 1:1250
18/12/2024	AL4	-	PROPOSED SITE PLAN 1:500
18/12/2024	AL7	-	PROPOSED FLOOR PLANS AND ELEVATIONS

Signed Case Officer¹: M Wishart

**Signed Authorising
Officer²:** K Foster

Date: 5 February 2025

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

Contd...

Informatives

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

2 ***Contaminated Land Advisory Note***

Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

Reporting of Unexpected Contamination

If contamination is found at any time when carrying out the approved development that was not previously identified it is advisable that the applicant report immediately to the Local Planning Authority. Development on the part of the site affected may have to halt until a risk assessment is completed and submitted to the Local Planning Authority.

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.

3 The comments of Merseyside Fire and Rescue Authority in their letter dated 7 January 2025 (attached).

4 The comments of United Utilities in their email dated 23 December 2024 (attached).

5 The comments and advice of the Merseyside Police Designing Out Crime Unit in their email of 16 January 2025 (attached).

Appendix 1 – Site Photographs





