

APPLICATION NO: 23/00485/FUL **CASE OFFICER:** Maxine Wishart

WARD: Whiston & Cronton **PARISH:** Cronton Parish Council

LOCATION: Denbigh , Pex Hill, Cronton

PROPOSAL: DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS
AND THE ERECTION OF A REPLACEMENT DWELLING
TOGETHER WITH OTHER ASSOCIATED WORKS INCLUDING
ALTERATIONS TO FRONT BOUNDARY FENCE

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION:

Green Belt

Site Description

The site area extends over an area of approximately 0.21 ha and is triangular in shape, extending considerably to the north of the house which gives the plot considerable width. The plot is located on the north-eastern side of Pex Hill, approximately 23 m from its junction with Cronton Road (A5080) and opposite to the exit at the western end of Cronton Sixth Form College. The site is on the edge of Widnes urban area. Cronton Road (A5080) is a main route linking Liverpool to Widnes and beyond. Pex Hill is a private road leading to a United Utilities waterworks and an area of urban green space, disused quarry and observatory at the summit of Pex Hill. A Public Right of Way (PROW) runs along Pex Hill directly in front of the application site.

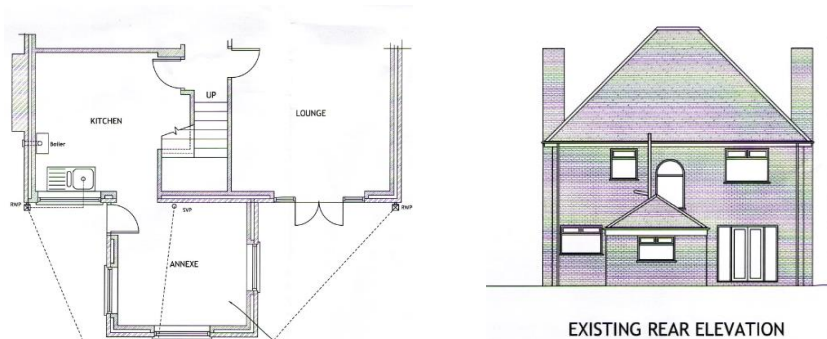


The application site contains an existing two-storey detached dwelling with detached garage a brick-built W.C. outbuilding and a timber 'summer / play house' on a brick plinth a part above ground and part underground air-raid shelter. The site frontage is enclosed by high walls and access gates.

The existing dwelling comprises a double fronted red brick house with pyramid type roof of very short central ridge, built in the late 1930s and there is a detached red brick garage with a hipped roof to the side. It is not known if the garage was built with the house, it is not possible to determine this through historic photographs of the site. Although, having regard

to the style of the detached building and its building materials, together with the likely owners that a house of this scale and location was likely to have been aimed at (car owning / professional occupiers), it is considered reasonable to assume that it may well have been built at the same time as the dwelling.

The house has a single storey extension across the rear with a sloping roof incorporating roof lights; prior to this extension being built there was a single storey on the back of the same depth but with a significantly smaller width. There is no planning history of previous extensions on the dwelling, however the Council's Building Control records show a single storey extension was added in 2011. This shows an annexe to the rear of the kitchen and lounge. Again, it is reasonable to take this annexe as having been built with the original dwelling.



Proposal

The application seeks permission for the demolition of the existing two-storey 4-bedroom detached dwelling; detached garage and outbuildings and the erection of a replacement dwelling together with associated works including alterations to the front boundary wall and fencing. The proposed dwelling would comprise a detached two storey 5-bedroom dwelling with accommodation within the roof space. The dwelling is designed such that there would be an 'outrigger' to the rear and side. This element of the dwelling would be lower than the ridge of the main dwelling but would still have accommodation within the roof space. This section of the dwelling would be to provide accommodation for the applicant's daughter.

The applicant's younger daughter suffers from severe medical issues, and as such, requires round-the-clock care to support her needs. The replacement dwelling has been designed to maximise DDA standards, using large door openings and wide circulation spaces together with open plan living to provide the best possible infrastructure for the applicant's daughter and her employed care team / therapists and teaching staff.

The application has been amended from the original proposal to reduce the scale and volume of the proposed development with a slight re-orientation of the dwelling.

Consultations

Cronton Parish Council - No comments received.

Arboricultural Officer - No objections provided the development subject to the submitted supporting arboricultural reports are approved documents.

Halton Borough Council - Has no objection to the application. Halton Borough Council assumes that the application should be determined in accordance with the National Planning Policy Framework and any relevant local planning policy.

Cronton Parish Council - No observations received.

Environmental Health - No objections in principle - request conditions relating to contaminated land advisory note; control of construction hours and Construction Environmental Management Plan.

Highway Authority - No objections.

United Utilities Water Ltd - Raise no objections but make comments in relation to risk to public water supply – Groundwater Source Protection Zone (SPZ) 2 and 3; the existing septic tank surface and foul water drainage; wastewater pipelines and apparatus.

Merseyside Environmental Advisory Service - No objections in principle subject to conditions as discussed in this report.

Environment Agency - No objection, give advice that the main river Alder Brook passes in culvert adjacent to the site boundary. The applicant should be made aware that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place. Advise on foul drainage connection hierarchy requirements.

Representations

This application has been publicised by letters sent to 4 neighbours. It has also been advertised by Site Notice. No representations have been received.

Planning History

APP. NO: 74/02158/HIST
PROPOSAL: DENBIGH PEX HILL, CRONTON - PROPOSED BUNGALOW
DECISION: Refused
DECISION DATE: 26 January 1977

APP. NO: 74/07792/HIST
PROPOSAL: PROPOSED BUNGALOW ~ APPEAL DISMISSED 04/04/84
DECISION: Refused
DECISION DATE: 2 September 1983

APP. NO: 22/00124/FUL
PROPOSAL: DEMOLITION OF EXISTING GARAGE AND ERECTION OF A TWO STOREY SIDE EXTENSION INCLUDING 1 NO JULIET BALCONY TO PROPOSED REAR FIRST FLOOR BEDROOM
DECISION: Granted
DECISION DATE: 23 November 2022

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 site is designated as Green Belt on the Knowsley Local Plan Policies Map. The following policies are relevant to the determination of this application.

NATIONAL PLANNING POLICY FRAMEWORK (2023)

KNOWSLEY LOCAL PLAN: CORE STRATEGY

- CS2 - Development Principles
- CS5 - Green Belt
- CS7 - Transport Networks
- CS8 - Green Infrastructure
- CS19 - Design Quality and Accessibility in New Development
- CS21 - Greenspaces and Trees
- CS24 - Managing Flood Risk
- CS26 - Waste Management

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

- G7 - Alteration, Extension or Replacement of Existing Dwellings in the Green Belt
- DQ2 - Security in the Built Environment
- DQ4 - Trees and Development
- ENV2 - Noise and Vibration
- ENV5 - Contaminated Land

SUPPLEMENTARY PLANNING DOCUMENTS

- Amended New Residential Development SPD (2018)
- Ensuring a Choice of Travel SPD (2010)
- Design Quality in New Development SPD (2016)
- Trees and Development SPD (2016)

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.

Background

Planning permission was granted in November 2022 for the demolition of existing garage and erection of a two-storey side extension including 1 no Juliet balcony to proposed rear first floor bedroom (Ref: 22/00124/FUL). The Officer report for that application stated that the existing volume of the 'original' dwelling is 751.7m³. The volume of the house as extended house would be 1133.6m³. On that basis it was considered that the proposal would result in a volume increase of 50.8%. It was considered that as this was only marginally above the 50% increase, that *"on balance this is considered appropriate as the Householder Development Supplementary Planning Document which gives a 50% maximum volume figure above the original dwelling for extensions in the Green Belt is guidance, as is the written explanation of Policy which prefates the 50% figure given with 'as a general guideline...'"*

Assessment

Principle of Development – Green Belt

The site is in designated Green Belt on the Knowsley Local Plan Policies Map. Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 143 of the NPPF Green Belt states that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another.
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraphs 152 and 153 of the NPPF and Policy CS5 of the Core Strategy explain that inappropriate development by definition is harmful to the Green Belt and should not be approved except in 'very special circumstances'. They state that 'very special circumstances' will only exist if the potential harm to the Green Belt (which must be given substantial weight) and any other harm arising from the development is clearly outweighed by other considerations.

Paragraph 154 of the NPPF establishes that the construction of new buildings in the Green Belt is inappropriate development unless certain exceptions apply. The following exemptions within para 154 relating to this proposal are:

- d) *the replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces;...*
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:*
 - *not have a greater impact on the openness of the Green Belt than the existing*

development; ...

For the purposes of the assessment of this application it should be assessed under criteria d) of the NPPF.

Saved Policy G7 of Knowsley's UDP relates to alteration, extension or replacement of existing dwellings in the Green Belt and provides further detail on what should be expected when assessing an application for a replacement dwelling. It states that proposals must respect the appearance of the existing dwelling and its setting, preserving the openness of the green belt, and should not result in the disproportionate addition over and above the size of the 'original dwelling'; not impact the amenity of neighbouring properties; is adequately served by public services without impact on the openness of the Green Belt; ensure damage to habitats is minimised. The explanation text to saved Policy G7 advises that as a general guideline enlargements (either through extension or replacement dwelling) of over 50% will not be allowed. The size of the 'original dwelling' is defined as *'that which existed on 1st July 1948, or the dwelling as originally built if this was later'*.

Consideration must therefore be given to what is classified as the 'original dwelling'. The dwelling the subject to this application was completed in 1938 according to a keystone incorporated into the building. The dwelling is imposing; double fronted with an entrance focal statement feature. Having regard to this together with the location, it is considered that the property was probably aimed at the professional market. The location and likely occupier market of the house means that it is reasonable to assume that the house was built with the garage.

The rear extension and 'summer house' are later additions and the brick outbuilding also appears to be. However, it would appear that the rear extension subsumed an earlier rear addition which is considered to form part of the 'original dwelling'.

Therefore, for the purposes of determining this application the original dwelling is considered to comprise the double fronted dwelling (with the original rear projection - not the existing single storey rear extension) and the garage.

Original Dwelling: The volume of the 'original building' has previously been indicated as measuring approximately 751.7m³, however it is considered that this is more accurately approximately 770.5m³.

Nevertheless, based on the lower figure, the applicant's agent submits that the proposed volume increase would amount to a new volume which has been separated into two elements comprising:

Proposed Dwelling:

Main House – 909.4 m³
Daughter's Extension – 252m³

This would, as the applicant's agent states would result in an overall total of 1161m³ which would amount to 54% total volume increase compared to the existing dwelling.

Officers do not concur with that calculation. In officer's view the calculation would be as follows, broken down into the two elements that the applicant's agent submits:

Main House - 969.53m³
Daughter's Extension - 297.61m³

This would result in an overall total of volume of 1267.14m³ and amount to 64.45% total volume increase compared to the 'original dwelling'.

The key difference to this application and that granted planning permission to extend the dwelling is that this current proposal represents a volume increase of 64.45% of the original dwelling house or 14.45% over the volume specified in the guideline set out in the explanatory text to saved Policy G7 which states that "*as a general guideline enlargements (either through extension or replacement of the dwelling) of over 50% will not be allowed.*"

In this case, the proposal is materially larger than the 'original dwelling' and development permitted by the extant permission. Whilst officers accept that the replacement building would be in the same use as the existing building, it is considered that the replacement building would be materially larger than the existing building it would replace. It is therefore considered that the proposed development would not meet the policy exception set out in paragraph 154 (d) of the NPPF. Consequently, the proposal is inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt and planning permission should only be granted if 'very special circumstances' exist that clearly outweigh the harm caused to the Green Belt so it is important to understand what harm is caused which is discussed in detail further on in this report.

Impact on Openness of the Green Belt

Planning Practice Guidance' (PPG) states that a number of factors may be taken into account when assessing the impact of a development on the openness of the Green Belt including both spatial and visual aspects, such as volume and visual impact. PPG advises that this assessment requires judgement based on circumstances of the case and the courts have identified a number of matters which may be taken into account under three elements:

- Spatial and visual impacts
- Duration of development and its remediability
- Degree of activity to be generated.

The proposed replacement dwelling comprises a substantially larger dwelling than the existing. The scale of the building with its increased massing and increased footprint of built development would comprise a substantial increase in volume occupying the site. While the impact on visual openness would mainly be limited to certain views, the scale of development is such that it would have a greater spatial impact. This would be apparent within the site and from viewpoints in the surrounding area. As the permanence of the Green Belt is an essential characteristic, this spatial impact must be accorded due weight. Officers are of the view that the replacement dwelling would result in moderate visual and spatial harm to the openness of the Green Belt when compared to the existing site circumstances.

The proposed development would therefore result in moderate harm to the Green Belt by way of inappropriateness and loss of openness, in spatial and visual terms. It therefore conflicts with the identified requirements of the NPPF and Policies G7 and CS5.

Whether Very Special Circumstances Exist

As set out above, paragraph 153 of the NPPF states "very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Personal circumstances are not normally considered to be relevant in relation to the determination of planning applications. However, the personal circumstances of an applicant are capable of being a material planning consideration and it is for the decision maker to determine how much weight they are afforded when determining the application. There have been appeal decisions where medical conditions and personal circumstances have equated to “very special circumstances”.

A number of factors have been put forward by the applicant in support of the development which predominantly relate to the medical conditions of the applicant's daughter and the overall health impacts on the family. The proposed development would provide a 5 bedroom family home which would allow for extended room to facilitate the personal needs for the applicant's daughter's care needs that will secure her accommodation needs into the future. The applicant has provided the Local Planning Authority with a range of documents from the NHS and other service providers involved in the care of the applicant's daughter. The submitted planning statement also highlights the significant role that the extended family play in the care of the child and which is important to the family's well-being and an additional bedroom would enable relatives to assist with care.

The replacement dwelling would provide the applicant's daughter with full access to the family home together with facilities for 24-hour care, including classroom facilities which would future proof facilities for hers and the families longer term needs.

The proposed development would result in some limited landscape and biodiversity enhancements of the site and the development would also contribute to a small degree, by generating construction employment throughout the construction phase. These factors combined would attract some weight in favour of the development in the planning balance.

In this case, the substantial weight given to the harm that would arise from inappropriate development and the effect on the openness of the Green Belt and to the conflict with the NPPF are in officer's view clearly outweighed by the considerable weight afforded to the medical circumstances of the applicant's daughter. “Very special circumstances” do therefore exist in this instance necessary to justify the proposal.

However, given the volume increase that has already occurred over and above the 50% threshold of the original dwelling house it is considered that any further additions may adversely affect the openness of the Green Belt and therefore in this particular instance it is considered that exceptional circumstances exist to remove permitted development rights and any further works would need to be subject to a full planning application.

Fallback Position

The extant planning permission for the extended dwelling (Ref: 22/00124/FUL) indicates that the volume of the extended property would be 1133.6.m³ equating to 50.8% increase in the volume of the original dwelling. The approved plans show the building would have dimensions of 11.32m by 14.85 m with a hipped roof attaining a height of 5.25m to the eaves and a maximum height of 8.25m.



Officers are satisfied that there would be a reasonable prospect that the approved extension would be built if this current application fails and this represents a viable fallback position. The degree of weight to be given to this position will depend on whether the fallback position would be equally or more harmful than the development proposed.

Having regard to the above, there is also the possibility that the occupier could undertake further development by exercising permitted development rights which have not been removed by condition of the 2022 permission. Effectively, this would mean that the occupier could, alongside the substantial extension, also erect significant building(s) within the curtilage of the dwellinghouse under *Class E – buildings etc* which comprise any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such....

One determining condition is that the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) should not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse). Given the scale of the plot size, providing other criteria is met, this would allow for some significant built form on this plot that would not be controlled by the LPA.

Therefore, the approved extension could be combined with permitted development structures to achieve increased living accommodation on the site which could be carried out in the absence of this current scheme coming forward. Therefore, the fallback position in officer's view is a material consideration which carries substantial weight.

A clear advantage over the fall-back position in relation to impacts on the Green Belt would be that these normal permitted development rights to enlarge the dwellinghouse and to erect any other buildings incidental to the enjoyment of the dwellinghouse could be restricted in the granting of permission for this replacement dwelling by way of a suitable condition(s).

Green Belt Conclusion

Officers consider that the proposed development represents an inappropriate form of development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposed replacement dwelling would be significantly larger in scale than the existing dwelling currently occupying the site. Consequently, the proposed development would result in harm to the openness to the Green Belt, in visual and spatial terms.

However, it is accepted that the extant planning permission in combination with permitted development rights represent a fallback position which is more than theoretical and represents a material consideration in the determination of this application

The NPPF makes it clear that “very special circumstances” will not exist unless potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In this case for the reasons set out above it is considered that the harm to the Green Belt identified is outweighed by the “very special circumstances” put forward by the applicant and individually weighs in favour of the development and should be taken cumulatively with the fallback position, as such this meets the requirements set out in the NPPF for the existence of “very special circumstances”

Character and Appearance

Local Plan Core Strategy Policy CS2 states that new development will be expected to enhance local character and promote quality of space. Policy CS19 sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness, the identity and accessibility of new places. Saved Policy DQ2 of the Knowsley UDP requires developments to be designed to provide good levels of security. Also of relevance are the Design Quality in New Development, New Residential Development and Ensuring a Choice of Travel SPDs.

Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning process should achieve. Good design is a key aspect of sustainable development. Paragraph 139 goes on to state that development that is not well designed should be refused.

Design and Materials

The proposed dwelling would see the design of the dwelling shift from the blunt pyramid style roof with tall chimneys to either gable or the existing dwelling to a hipped roof to the main part of the dwelling which is similar save for the loss of the chimneys to the extant planning permission. The front elevation would incorporate a front projection element with piked roof detail which reflects that of the existing dwelling, albeit with a more contemporary twist due to the incorporation of the large apex window.



The side projection, forming an accommodation 'suite' for the applicant's daughter at ground floor and within the roof space would be set back from the front elevation (approx. 6.7m) and present a 'cat slide' roof from the front. The floor layout would be substantially deeper than the existing dwelling and to the design granted for the 2-storey extension.

The proposed development would present as an imposing dwelling; however, it would sit within a very large plot and would be set behind a high level enclosure to the street frontage and would be screened by planting from most other vantage points. Pex Hill comprises detached houses and bungalows mainly in large plots. The type, style and ages of the dwellings on Pex Hill varies considerably.



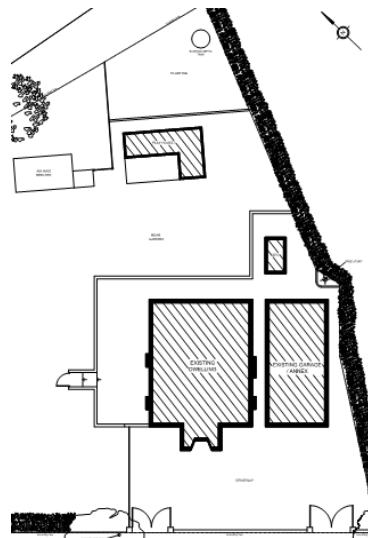
Other House Types on Pex Hill



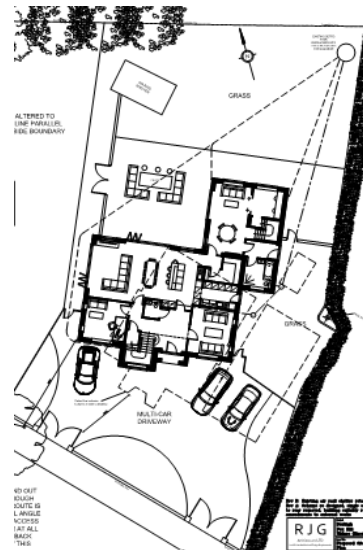
659 Cronton Road (foreground) Denbigh (background)

Layout

The orientation of the dwelling would be altered compared to the existing layout. This would give a more usable garden area immediately to the rear of the dwelling. The overall footprint of the proposed dwelling would be larger than the existing dwelling, however there would be a loss of a number of outbuildings currently spread across the site and arguably would result in less dispersal of the built form across the site.



Existing Layout (in part)



Proposed layout (in part)

Boundary Walls / Gates

Saved Policy DQ2 of the UDP requires that new development should be designed so as to provide good levels of personal and property security. Criterion c) of this policy states that “features such as gates and fencing should be included where necessary to prevent inappropriate access.”



Proposed Illustrative Street Scene

The application proposes the erection of walls with fencing and two sets of double access gates to the site frontage. The site frontage would remain similar to that which currently exists and as shown in the street view image below. It is noted however that there have been alterations to the site frontage to incorporate fencing and access gates which took place between October 2020 and November 2022.



Google Streetview November 2022



Google Streetview October 2020

The majority of properties on Pex Hill are demarcated at the site frontage by high hedges; low level walls and hedges whilst some are more open to the street.



There are however a couple of examples where more robust and ornate gates have been erected further along Pex Hill.



Having regard to saved Policy DQ2 and the New Residential Design SPD, the fact that the proposed enclosure would be similar to the existing, albeit that there is no planning permission in place for the alterations, and the applicant's need to create a safe and secure site for their daughter supports the acceptability of this aspect of the development. If planning permission is granted, specific boundary treatment details would be addressed through an appropriate condition.

Parking Provision

Parking provision would be retained at the front of the proposed dwelling providing parking space for a minimum of three vehicles. Two double access gates, positioned at either end of the site frontage would allow for an 'in' and 'out' arrangement similar to that which currently exists but with improved manoeuvrability for vehicle parking, access and egress.

Amenity Space

The application plot covers a site area of circa 0.21 ha. Extensive levels of private amenity space would remain available to serve the property.

Waste Storage

Policy WM9 of the Merseyside and Halton Waste Local Plan (WLP) requires that the design and layout of new built developments must provide *1) Facilitation of collection and storage of waste, including separated recyclable materials; and 2) Provide sufficient access to enable waste and recyclable materials to be easily collection and transported for treatment.*

The proposed layout plan does not show bin storage. KMBC operates a 3 bin system and these would be required to be stored out of view from the street to preserve the visual amenity of the area. There would be more than sufficient space to enable bins to be stored out of sight on the site as is currently provided in the site. As such, the proposal would comply with Policy WM9 of the Joint Waste Local Plan and the Knowsley Householder Development SPD and would therefore be acceptable in terms of waste management.

Crime and Security

As detailed above Policy DQ2 relates to security in the built environment and requires development to be designed so as to provide good levels of personal and property security. The application proposes the erection of a new wall and entrance gates to the site frontage. It is considered that the scheme does not raise any concerns in relation to crime and security and therefore does not conflict with the NPPF, saved Policy DQ2 of the Knowsley UDP; Policies CS2 and CS19 of the Core Strategy and the New Residential Development SPD.

In conclusion, the proposed development would be acceptable in terms of its design, access and crime prevention. The proposed development would comply with the NPPF, saved Policy DQ2 of the UDP (2006), Policies CS2, CS17 and CS19 of the Core Strategy, Policy WM9 of the Waste Local Plan and the New Residential Development and Design Quality in New Development SPDs.

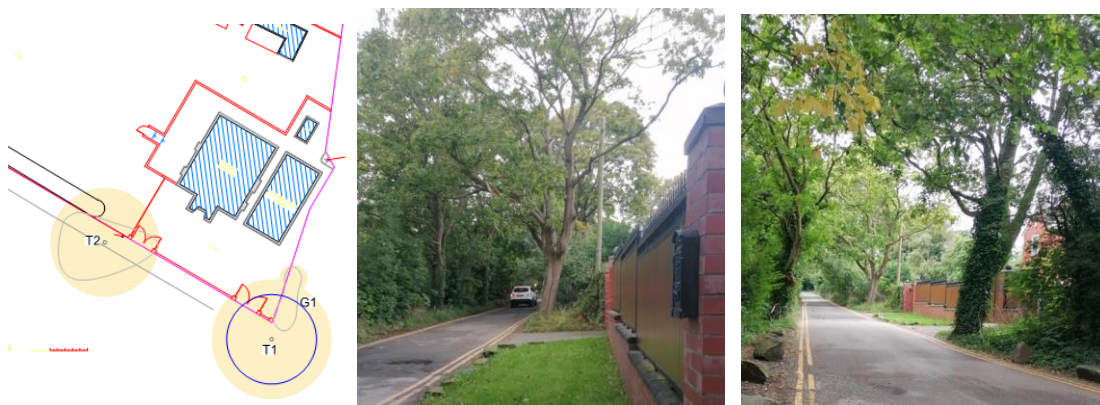
Site Waste Management

The proposal comprises minor development which is unlikely to generate significant volumes of waste. Policy WM8 - *Waste Prevention and Resource Management* of the Waste Local Plan, National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) require the use of construction and demolition methods that minimise waste production and maximise re-use, recycling of materials on-site and minimise off-site disposal where practicable. MEAS advise the use of waste audits or a similar mechanism such as a demolition method statement or a site waste management plan to monitor waste minimisation, recycling, management and disposal. However, given the scale of the development, in this instance it is considered that this would be too onerous on the applicant and it is not recommended that this be secured through the implementation of a suitable condition if planning permission is granted.

Arboricultural Considerations

Local Plan Core Strategy Policy CS8 seeks to preserve landscape character. Policy CS21 seeks to enhance and protect existing trees, woodland, vegetation and other habitat features that offer a positive contribution to the local environment whilst seeking tree planting and other soft landscaping. Saved policy DQ4 of the Knowsley UDP seeks to retain and protect those trees that contribute positively to amenity, incorporate integral planting within new developments and make adequate provision for replacement planting either on or off site. The Trees and Development SPD is also a material consideration.

The application is supported by an Arboriculture Impact Assessment and Method Statement. The report identifies that no trees would be removed to facilitate development. However, the development has the potential to have a negative impact through root damage and loss on two trees immediately adjacent to the site located in the highway verge (T1 and T2).



To mitigate the negative impacts of the application proposal on trees T1 and T2, the Method Statement states that all operations with the Root Protection Area (RPA) of both trees will need to be undertaken by hand under supervision of an appointed Arboriculture of Works (ACoW) to ensure that there would be minor negative impact on trees T1 and T2.

The Council's Arboricultural Officer has reviewed the report and has no objection in principle to the development providing the tree report is listed as an approved document. The submitted method statement which includes some precautionary methods of working would be made an approved document if planning permission is granted.

It is considered that the proposal would comply with saved policy DQ4 of the Knowsley UDP, and policies CS2 and CS21. In coming to this view regard has been given to the Trees and Development SPD.

Highways

The NPPF at paragraph 114 requires new developments to ensure amongst other things that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network, or on highway safety can be mitigated to an acceptable degree. Furthermore, at paragraph 115 it states 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.

Policy CS2 of the Local Plan Core Strategy states in Principle 3c) that new development will encourage safe and sustainable access for all whilst Policy CS7 of the Local Plan Core Strategy requires new developments 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. The policy also requires new developments to make adequate provision for cycle and car parking. Policy CS19 of the Local Plan Core Strategy promotes the delivery of accessible places and seeks to ensure new developments provide safe, secure and convenient routes for movement, to meet the needs of all users.

Parking

The proposal would see a change in the existing four-bedroom dwelling to a five bedroomed dwelling. The Ensuring a Choice for Travel SPD states 4+ bedroom properties should provide a maximum 3 no. parking spaces within the residential curtilage. The site plan indicates that adequate off-street parking would be achieved at the front of the site with double access gated forming an 'in' and 'out' with access directly from Pex Hill an unadopted road. Therefore, the parking provision is in excess of the standard recommended by the Ensuring a Choice for Travel SPD, however, this would be a similar situation to that which currently exists and is considered acceptable to serve the proposed dwelling.

The Local Highway Authority have no objection to the proposed development. Therefore, it is considered that the proposal is acceptable in highway safety terms. As such, subject to above conditions, the proposal is considered to comply with the NPPF, Policies CS2, CS7 and CS19 of the Local Plan: Core Strategy, Saved Policies T7 and T10 of the Knowsley UDP and Ensuring a Choice of Travel SPD.

Residential Amenity

Policy CS19 in the Local Plan Core Strategy requires new developments to maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers. Policy CS2 also sets out development principles which require new development to recognise environmental limits, enhance local character and promote quality of place by mitigating potential negative impacts of traffic growth on noise and health, and minimising negative impacts upon air quality...noise and vibration levels ensuring any negative impacts are appropriately mitigated. Additionally, Policy CS19 sets out that new development will be expected to maintain a good standard of amenity for all existing and future occupants of land and buildings.

Noise Considerations

Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured. Whilst it is recognised that noise from the site during demolition and construction may have an impact on surrounding neighbours this should be for a temporary period. The Council's environmental health team has suggested a condition regarding the control of hours of construction as a means of safeguarding the amenity of the wider area. However, given the scale of the development and that other legislation outside of the planning regime is in place to control noise, it is not considered that in this instance a condition controlling the hours of construction would be merited.

Annexe at Meadows, Pex Hill

The nearest residential property is located to the north west of the application site. This comprises an annexe within the curtilage of Meadows a bungalow further to the north west.

The annexe was granted planning permission granted in 2010 for the conversion of a detached garage to form 1 no. dwelling ancillary to the original house "Meadows" (Ref: 10/00548/COU) and subsequent permission for variation of the occupancy condition in 2020 (20/00270/FUL). The annexe is restricted to named occupancy.

The annexe is located approximately 25 m from the edge of the application site boundary and would be located in excess of 85 m from the proposed dwelling. There would be windows at first floor within the new dwelling on the main side elevation that would face the neighbouring plot, including French windows with a Juliet balcony and further into the site a dormer window. Given the distance that would remain and existing planting between the proposed development and this property, it is not considered that the development would result in unacceptable impacts on the occupiers of this property.

Meadows, Pex Hill

The property further to the northwest comprises a bungalow constructed circa 1970s. The above-mentioned annexe forms part of the curtilage buildings of Meadows. Permission was granted in 2020 for a loft conversion and dormer with Juliet balcony (20/00630/FUL) on the southeast elevation which faces the application site to a degree.

This property is located approximately 45 metres from the application site boundary and would be located in excess of 100 metres from the proposed dwelling. A large garden area and tree planting and the annexe within their plot would separate the two dwellings. It is not considered that the development would result in unacceptable impacts on the occupiers of this property.

Sandstone Gable, Pex Hill

This property comprises a part single storey and part 2-storey dwelling located on the opposite site of Pex Hill to the north west of the application site. The proposed dwelling would be in excess of 50 m from the site boundary with this dwelling. Given the distance that would remain between the development and this property it is not considered that there would be any undesirable impacts that would result in relation to the amenities of this property.

659 Cronton Road

No. 659 comprises a large two-storey dwelling located to the south west of the application site with its side elevation facing the application site. A distance of approximately 10m separates the side boundary of this property and the application site. The dwelling is set a further 32 metres into the plot. A significant interface between the dwelling and the development would therefore be retained to ensure that there would no detrimental impacts on this dwelling.

Having regard to the above, impacts on residential amenity would be acceptable and the proposal complies with the NPPF, Policies CS2 and CS19 of the Local Plan Core Strategy, saved Policy ENV2 of the Knowsley UDP

Ecology

Policies CS2 and CS8, amongst other things, seek to ensure that new development maintains or enhances the quality of biodiversity and habitats and ensure that they provide adequate mitigation and / or, as a last resort, compensation for Green Infrastructure or biodiversity loss, in circumstances where harm resulting from the development is otherwise unavoidable. This is consistent with the aims of the National Planning Policy Framework (NPPF). The application is supported by a Preliminary Ecological Appraisal (PEA) report (Tyrer Ecological Consultants Ltd, July 2023).

Bats

As a part of the PEA, four buildings, an air raid shelter and trees upon the site were assessed for potential bat roosting features. In summary, the four buildings and trees were categorised as providing only negligible opportunities for roosting bats and further surveys of the buildings and trees are not therefore required.

The air raid shelter was considered to provide potential for hibernating bats and at the time of preparing the report, it was understood by the applicant's ecological consultant that the air raid shelter was to be retained and not further reports / mitigation recommended. However, a submitted Planning / Design and Access Statement and Layout originally submitted did indicate that the air raid shelter would be removed. On that basis, MEAS advised that a bat hibernation survey of the air raid shelter would be required prior to determination of the application. However, it has been confirmed and the detail of the application amended to show that the air raid shelter would be retained. Consequently, no further survey is therefore considered to be required in this instance.

Amphibians

As a precaution, MEAS advise that amphibian reasonable avoidance measures (RAMs) are undertaken during the construction phase can be secured through the implementation of a suitably worded condition if planning permission is granted.

Hedgehog

MEAS have advised that habitats on site are suitable for hedgehog which is a Priority Species and advise RAMs are put in place to ensure that there are no adverse effects on them. This can be secured by condition if planning permission is granted.

Breeding Birds

Vegetation on site may provide nesting opportunities for breeding birds, which are protected. An informative will be added to any decision if planning permission is granted advising the applicant of their duty to ensure that no vegetation management (including tree works) take place during the bird breeding season and if necessary, vegetation shall be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.

Biodiversity

The application does not need to provide the now mandatory Biodiversity Net Gain (BNG) requirements since the application was submitted prior to when this requirement took effect. In this instance, however, in line with the biodiversity duty and paragraph 180 of the NPPF, MEAS advise that the applicant should provide biodiversity enhancements such as bird nesting boxes and native shrub planting, as recommended in Appendix III of the supporting Preliminary Ecological Assessment (PEA). This can be secured by a suitably worded planning condition if planning permission is granted.

The proposal, subject to relevant mitigation which would be secured by condition is considered to result in acceptable impacts on ecology and is therefore considered to comply with Policies CS2, CS8, CS19 and CS21 of the Local Plan Core Strategy and the NPPF.

Drainage and Flood Risk

Policies CS2 and CS24 in the Local Plan Core Strategy combine to ensure that development will not cause any unacceptable risk of flooding and that surface water will be drained in a safe and sustainable manner. According to the Government's Flood Map for

Planning Service Flood Zone website map results, the site is located within Flood Zone 1 (the area at lowest risk of flooding).

Groundwater Source Protection Zone (SPZ) 2 and 3

United Utilities (UU) have advised that the site overlies the sandstone rock, in a Groundwater Source Protection Zone (SPZ) 2 and 3. This forms an aquifer, abstracted at depth by United Utilities for public drinking water supply at the nearby Pex Hill boreholes. UU advise that the applicant should follow best practise on their use and storage of fuels, oils and chemicals, to remove the risk of causing pollution during construction. This information would be included as an informative should planning permission be granted.

Septic Tank / Foul Water Drainage

The property is currently served by a septic tank which deals with the wastewater from the property and the application indicates that this would be retained to serve the proposed dwelling. UU advises that there is a potential risk of wastewater pollution from the current septic tank, installed in strata overlying the Groundwater Source Protection Zones 2 and 3 (SPZ 2 & 3), surrounding the UU drinking water abstraction borehole. They advise that the applicant must ensure that they meet the Environment Agency's 'general binding rules' for septic tanks and small sewage treatment plants and this information will be relayed to the applicant as an informative if planning permission is granted.

The Environment Agency point out that Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. The existing dwelling is however currently served by the existing septic tank and it is proposed that this is retained to cater for the foul drainage arising from the replacement dwelling. The EA stress that the granting of planning permission does not guarantee the granting of an Environmental Permit. The applicant will be made aware of this information through the imposition of an informative if planning permission is granted.

Surface Water Drainage

The application indicates on the submitted layout plan that there would be a new surface water run to the existing septic tank. UU advise that a septic tank is not a suitable method of Sustainable Urban Drainage System (SuDS) for surface water drainage, stating that additional flows greater than the design of the septic tank could lead to flooding or overflow of the septic tank to ground. This would present a risk to the underlying aquifer, which UU abstract from. They ask that the applicant provides a full surface water and foul water drainage strategy for the site to include SuDS and other evidence in relation to the septic tank and its suitability, prior to the determination of the application and go on to comment that the drainage hierarchy advocated in the NPPF and National Planning Practice Guidance (NPPG) should be met.

However, paragraph 175 of the NPPF states that "*major development should incorporate sustainable drainage systems unless there is clear evidence that this would be*

inappropriate...” Current planning policy only requires that SuDS are included in new major developments (developments over 10 homes), unless there is clear evidence that this would be inappropriate. A review took place by the previous government (published January 2023) with a key recommendation that sustainable drainage systems (SuDS) is made mandatory for all development with implementation expected during 2024 however this is yet to be implemented.

Notwithstanding the above, it is acknowledged that the surface water drainage of the site should not run to the septic tank and it is therefore considered that further details of the surface water drainage would be required and this can be secured by way of a suitable planning condition if planning is granted. In addition, the applicant would also have to comply with Approved Document H – Drainage and waste disposal of the Building Regulations 2010.

On balance, subject to the recommended condition the development would incorporate measures to minimise the potential for surface water flooding across the development and beyond the site boundaries and would comply with the NPPF and Policies CS2 and CS24.

Main River

The Environment Agency has advised that the main river Alder Brook passes in culvert adjacent to the site boundary and that the applicant should be made aware that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for certain activities in the vicinity of the river and this advice would be included as an informative if planning permission is granted.

Environmental Considerations

Contaminated Land

Saved Policy ENV5 in the Replacement Unitary Development Plan requires new developments to remediate any sites that may be affected by contaminated land. It seeks to ensure that development does not occur on contaminated sites that could place future occupiers, or the surrounding environs are not at risk from contamination. Policy CS2 of the Knowsley Local Plan Core Strategy requires development to address any issues of unstable land resulting from coal mining. This is reiterated within the NPPF.

The Council’s Environmental Health Officer has advised that based on the information available to them they 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 the Council. If contamination is encountered the developer would need to deal with contaminated arising appropriately and It is therefore considered prudent that this should be secured by way of a planning condition in the event that planning permission is granted.

In addition, any soil imported onto the site would need to be tested for contamination and assessed for its suitability and the details of which can be secured through an appropriate condition if planning permission is granted.

Subject to the above condition, the proposal is considered to comply with the NPPF, Policy CS2 of the Local Plan Core Strategy and saved Policy ENV5 of the Knowsley UDP.

Demolition / Construction Management and Hours of Construction

Environmental Health Officers have requested conditions relating to the control of construction activities including submission of a Demolition / Construction Management Plan and control of the hours of construction to be controlled. However, given the scale of the

development and that other legislative controls are in place to address these matters should issues arise, it is not considered necessary to impose such conditions on this development if permission is granted.

Other Matters

Site Waste

Policy WM8 Waste Prevention and Resource Management, National Planning Policy for Waste (para. 8) and PPG (para. 49) require the use of construction and demolition methods that minimise waste production and maximise re-use, recycling of materials on-site and minimise off-site disposal where practicable. MEAS have advised securing a waste audit or similar mechanism to monitor waste minimisation, recycling, management and disposal. However, given the scale of the development it is considered in this instance that this would be onerous on the applicant and officers do not recommend a condition to secure this.

United Utilities Assets

Water Pipelines

A water main crosses the site entrance. UU have advised that it must not be built over, or their access to the pipeline compromised in any way and require an access strip. The applicant must comply with UU conditions to ensure that assets are protected. This will be conveyed by way of an informative if planning permission is granted.

Wastewater Pipelines

UU advise that they will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the applicant will be informed of this requirement by way of an informative if planning permission is granted.

Conclusion

In summary, the proposed development would be materially larger than the original dwelling and constitutes inappropriate development in the Green Belt, there are material considerations which have been taken into account and in the planning balance it is considered that "very special circumstances" exist.

Overall, the proposal would have acceptable impacts on the character and appearance of the Green Belt and the surrounding environs. The development would be acceptable in terms of design and would have a marginally greater impact than the extent planning permission which Officers consider to be a fallback position. The application would not be detrimental to visual or residential amenity. There are no highway issues and drainage matters can be addressed through Building Regulations. Suitably conditioned the development accords with the relevant provisions of the National Planning Policy Framework and relevant local policies.

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. Notwithstanding the details and any description of materials in the application as identified on the approved plans no above ground construction works shall take place until a full specification and where applicable samples of materials to be used externally on the development 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. 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 the National Planning Policy Framework (2023), Policies CS2, CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Amended New Residential Development SPD (2018).

4. *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 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 the protection and protection of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. 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 the protection and protection of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policy ENV5 of the Knowsley

Replacement Unitary Development Plan, adopted June 2006.

6. No above ground construction works shall be commenced until a landscaping scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

a) *Hard Landscaping*

A full specification of materials including samples (where appropriate) to be used for the construction of all hard surfacing areas. For the avoidance of doubt, such details shall include:

- i. the type, colour and texture of the materials; and
- ii. any hard surfacing shall be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area / surface within the curtilage of the dwellinghouse

The approved hard landscaping shall be implemented in its approved form prior to the first occupation of the dwelling hereby approved and retained as such thereafter.

b) *Soft Landscaping*

A detailed landscaping scheme, the details of which shall relate to all land surfaces not built upon and shall include, but not limited to:

- i. Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks;
- ii. All proposals for new planting and turfing indicating the location, arrangement, which shall include native shrub planting as recommended in Appendix III of the Preliminary Ecological Assessment carried out by Tyrer Ecological Consultants Ltd dated July 2023;
- iii. An outline specification for ground preparation;
- iv. The proposed arrangements and specifications for initial establishment; and
- v. Maintenance and longer-term maintenance of all planted and/or turfed areas.

The approved soft landscaping shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development or a timetable to be agreed in writing with the Local Planning Authority.

Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage. The development shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

c) *Boundary Treatments*

Notwithstanding the details on the approved plans, precise scheme details of all boundary treatments (including existing to be retained), fences, gates or other means of enclosure to be erected / retained within the development.

No occupation of the development shall take place until all walls and fences indicated in the agreed scheme have been erected in accordance with the agreed details. Thereafter the approved boundary treatment(s) shall thereafter be retained and maintained.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS5, CS8, CS19 and CS21 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and saved Policies DQ2, DQ4 and G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the New Residential Development SPD (2018).

7. The area set aside for parking and vehicular manoeuvring indicated on the approved layout plan shall have been surfaced and drained in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority pursuant to Condition 6 of this permission.

The parking area shall be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area / surface within the curtilage of the dwellinghouse. The agreed parking and manoeuvring areas shall be made available prior to the first occupation of the dwelling hereby permitted and retained as such thereafter.

Reason: In the interests of highway and pedestrian safety, to secure adequate parking provision and drainage and to comply with the National Planning Policy Framework (2023), Policies CS2, CS7, CS19 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Ensuring a Choice of Travel SPD, adopted September 2010 and Amended New Residential Development SPD (2018).

8. Prior to commencement of development Reasonable Avoidance Measures shall be implemented on site to prevent harm to wildlife during the demolition / construction phases of the development hereby approved in accordance with the following measures:

Amphibians

- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Hedgehog

- A pre-commencement check for hedgehog.
- Any exposed open pipe systems should be capped to prevent mammals gaining access

The avoidance measures shall be implemented in accordance with the above details and shall remain in force as such for the full duration of the demolition and construction phases of the development.

Reason: To ensure that the development does not cause harm to any protected species in the interests of biodiversity and to comply with the National Planning Policy Framework (2023) and Policies CS2 and CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

9. The dwelling hereby permitted shall not be occupied until details of bat and bird nesting boxes to be incorporated into the scheme (minimum three of each), as recommended in the supporting Preliminary Ecological Appraisal carried out by Tyrer Ecological Consultants Ltd dated July 2023 which shall include the number, type and location as well as timing of installation have first been submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out only in accordance with the approved details and photographic evidence of their installation shall be provided prior to the occupation of the dwelling and retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with the National Planning Policy Framework (2023) and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

10. The demolition of the Summer House shall be carried out only in strict accordance with the recommendations set out in the supporting Ecological Assessment carried out by Tyrer Ecological Consultants Ltd dated July 2023. In particular:
 - The building (B4 Summer House) should undergo a precautionary soft strip using hand tools at localised features of interest to the eastern aspect and around the front window – all areas where damage is present.
 - The soft strip shall be carried out by appointed contractors and supervised by an Ecologist to check for evidence of bats and provide recommendations accordingly.
 - If any evidence of bats are found, works would legally be required to cease and a mitigation licence requirement would be activated.

Reason: In the interests of biodiversity conservation and to comply with the National Planning Policy Framework (2023) and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

11. Prior to the installation of any external lighting on the application site, a lighting scheme shall have first been submitted to and been approved by the Local Planning Authority. The details shall include, but not be limited to:
 - A detailed description and precise details of the type of lighting;
 - Positioning details;
 - Details of proposed luminance which shall be designed to protect ecology and does not result in excessive light spill onto habitats and have regard to the [‘Bats and Artificial Lighting at Night’](#) guidance which has been produced by the Institute of Lighting Professionals in conjunction with the Bat Conservation Trust.

The scheme shall subsequently be implemented in accordance with the agreed details prior to the dwelling first being occupied and / or a timetable to be agreed and shall be retained as agreed thereafter.

Reason: In order to minimise the effect of lighting on protected species, in the interests of biodiversity in the interests of visual amenity and to comply with the

National Planning Policy Framework (2023), Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies DQ2 and ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

12. No part of the development hereby permitted shall commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The dwelling hereby permitted shall not be occupied until the surface water drainage system to serve the property has been implemented in accordance with the agreed details and shall be maintained in good working order at all times thereafter.

Reason: To ensure that appropriate surface water drainage is provided, in accordance with the National Planning Policy Framework (2023) and Policies CS2 and CS24 of the Knowsley Local Plan:Core Strategy, adopted January 2016.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Part 1 a) – b), d) - f) or any amendments made to that Order, shall not apply:

- i. no extensions (including porches) shall be carried out to the dwelling.
- ii. no additional storeys shall be constructed.
- iii. no dormer extension shall be added to the dwelling.
- iv. no buildings, enclosures, swimming pool or other pool or container for fuel storage shall be erected within the curtilage of the dwelling.
- v. no additional hard surface shall be laid out within the curtilage of the dwelling.

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, safeguard the character of the development and the area, and to protect the openness of the Green Belt. Also to ensure compliance with the National Planning Policy Framework (2023); Policies CS2,CS5 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policy G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
30/06/2023	-	-	Arboriculture Impact Assessment and Method Statement (MP Trees - June 2023)
10/07/2023	-	Issue 1.0	Preliminary Ecological Appraisal (Tyer Ecological Consultants - July 2023)
07/08/2023	1:1250	-	Site Location Plan

11/03/2024	01703 / SK /02	Rev A	Proposed Plans and Elevations
12/07/2024	01703 / SK / 01	Rev B	Proposed Site Block Plan
12/07/2024	-	Rev. B	Planning / Design and Access Statement (July 2024)

Signed Case Officer¹:

M Wishart

**Signed Authorising
Officer²:**

K Foster

Date:

21 August 2024

Informatives

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

2 *Coal Authority*

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024.

3 *Environment Agency*

The comments of the Environment Agency in their letter dated 24 August 2023.

4 *United Utilities*

The comments of United Utilities in their letter dated 3 October 2023 as attached.

5 *Bird Nesting*

Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. No scrub clearance, hedgerow removal, vegetation management or ground clearance should take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all scrub, hedgerows and vegetation should be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.

6 *Bats*

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

All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017.

It is an offence to:

- deliberately kill, injure, disturb or capture them
- damage or destroy their breeding sites and resting places (even when bats are not present)
- possess, control or transport them (alive or dead)

It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- disturb bats while they occupy a structure or place used for shelter or protection
- obstruct access to a place of shelter or protection

If bats are discovered during work or are suspected of being present, the relevant work should be halted and Natural England (formerly English Nature) notified and further advice sought (<http://www.naturalengland.org.uk/>).

For more information about bats please go to the Bat Conservation Trust website:

<http://www.bats.org.uk/>

Contd....

Appendix 1 – Site Photographs





