

REGENERATION AND ECONOMIC DEVELOPMENT DEPARTMENT

APPLICATION NO: 22/00492/FUL

APPLICANT: Mr Eliot Lopian

WARD AFFECTED: Prescot North

DEVELOPMENT: VARIATION OF CONDITION NO. 9 OF PLANNING PERMISSION
20/00617/FUL TO ALLOW FOR CHANGING THE HARDBOUND MATERIAL
TO THE FIRST 5M OF DRIVEWAYS FROM COBBLES TO TEGULA PAVING

LOCATION OF SITE: 765 Knowsley Lane, Knowsley, Knowsley, L34 9EE

KNOWSLEY LOCAL PLAN ALLOCATION –

Green Belt

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS3 - Housing Supply, Delivery and Distribution
CS5 - Green Belt
CS7 - Transport Networks
CS17 - Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS22 - Sustainable and Low Carbon Development
CS24 - Managing Flood Risk

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

DQ4 - Trees and Development
ENV5 - Contaminated Land
G6 - Conversion or Change of Use of Existing Buildings in the Green Belt

ARTICLE 35

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

PLANNING HISTORY

A previous application for conversion of outbuilding and link extension to create 1 dwelling was approved, (20/00617/FUL – approved 10/05/2021).

TECHNICAL CONSULTATIONS:

Highways – No Objection.

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NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 4 neighbours. No representations have been received.

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for a variation of condition 9 of planning permission 20/00617/FUL to allow for changing the hardbound material to the first 5m of driveways from cobbles to tegula paving.

The main issues are, the effect of the changes on the character of the area, the Green Belt and Highway safety.

CHARACTER OF AREA

In relation to impact on the character of the area, the materials are considered to be of good design, and would not lead to a deterioration in quality. The change would not harm the character of the area. The application complies with Core Strategy Policy CS19.

GREEN BELT

In relation to the impact on the Green Belt. The change in surfacing material would not result in any material difference to the openness of the Green Belt.

HIGHWAY SAFETY

There would be no material impacts on highway safety from the change, this is supported by the views of the council's highways department who has no objection.

CONCLUSION

The proposal would not harm the character of the area, Green Belt or highway safety. The application complies with local planning policies and is recommended for approval.

That Planning Permission be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

Pre Commencement

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3) Contaminated Land

The contamination report measures, previously approved, shall be implemented in accordance with the submitted details) prior to the first occupation of any dwelling and retained thereafter.

Reason: To prevent contamination in the interests of human health in accordance with Core Strategy policy CS19 and Policy ENV5 of the Unitary Development Plan.

4) Footway Resurfacing

The footway resurfacing measures, previously approved, shall be implemented in accordance with the submitted details prior to the first occupation of any dwelling and retained thereafter.

Reason: In the interests of highway safety to ensure the provision of safe pedestrian access in the vicinity of the site and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

5) Tree Works - 5 Days

Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

Pre Occupation

6) Visibility Splays

No part of the development shall be brought into use until visibility splays of 43 metres by 2.4 metres, have been provided at the proposed site access with Knowsley Lane. The splays shall be provided clear of obstructions to visibility above the height of 0.6 metres measured from the footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To ensure adequate visibility at the site access is made and maintained, and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

7) Bat Boxes

No part of the development shall be occupied until bat boxes have been installed in accordance with details previously submitted to and agreed by the local planning authority.

Reason: In order to create a habitat for bats in accordance with Core Strategy policy CS8.

8) Parking and Access

The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for access, parking, boundary treatments, vehicular manoeuvring (including provision for pedestrians/cyclists) have been installed, surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown in drawing number DBall/11, titled Site Layout, Jan 21. These areas shall be retained as such thereafter.

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Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

9) Electric Vehicle Charging Points

The dwelling shall not be occupied until an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space has been provided for the dwelling.

All chargepoints shall be:

- a) A minimum of 7KW, and
- b) at Least Mode 3 or equivalent, and
- c) untethered, and
- d) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

All EV charging points shall be clearly marked as such and their purpose explained to new occupants in any home welcome pack.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and NPPF Para 110.

10) Landscaping

Prior to the implementation of any landscaping or the removal of trees from the site, a scheme for landscaping and for replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include tree replacement for individual and groups of trees on a 2:1 basis. The scheme should include the location, size and species of the replacement trees. The tree planting shall be wholly implemented in its finally approved form in accordance with the approved scheme within the first available planting season following the substantial completion of development. 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.

Reason: In order to ensure appropriate landscaping as part of the scheme.

Other Conditions

11) 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.

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Reason: To prevent contamination in the interests of human health in accordance with Core Strategy policy CS19 and Policy ENV5 of the Unitary Development Plan.

12) Reasonable Avoidance Measures

In order to protect wildlife, the following reasonable avoidance measures shall be implemented during any construction work on site. The following reasonable avoidance measures should be put in place:

- A pre-commencement check for hedgehog;
- All trenches and excavations should have a means of escape (e.g. a ramp);
- Any exposed open pipe systems should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

Reason: In order to protect ecology in accordance with Core Strategy policy CS8.

13) Importation of Soil/Material

No top 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: To prevent contamination in the interests of human health in accordance with Core Strategy policy CS19 and Policy ENV5 of the Unitary Development Plan.

14) Temporary Power Plant

No temporary power plant shall be used outside the permitted hours of construction unless in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development. Any such plant shall only be operated in accordance with the approved details.

Reason: To protect the living conditions of neighbours in accordance with Core Strategy policy CS19.

15) Gate access

Any gate or other form of barrier across the access shall be positioned at least five metres back from the nearside edge of the highway boundary of Knowsley Lane, and shall be constructed to open into the site only.

Reason: To permit vehicles to pull clear of the carriageway when entering the site, in the interests of highway and pedestrian safety and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

16) Construction Hours

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No construction work, including demolition and deliveries to and from the site shall take place on the site except between the hours:

08.00 - 18.00 Monday to Friday;
08:00 - 13:00 hours Saturday.

No work shall take place on Sundays or on Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
21/09/2022	-	-	Materials Photo Email 21 9 22
21/09/2022	-	-	Materials Specification Email 21 9 22
09/08/2022	Lopian/11	A	Site Layout
06/09/2022	001	-	Location Plan
12/04/2021	1925	1.0	Flood Risk Assessment
03/03/2021	DBall/10	-	Visibility Splay
16/02/2021	-	-	3D – Interior
16/02/2021	-	-	3D – Exterior
02/02/2021	-	-	Bat and nesting bird survey
13/11/2020	DBall/06	-	Proposed Elevations
13/11/2020	-	-	Materials Specification
13/11/2020	-	-	Site Treatment and management plan
13/11/2020	-	-	Tree Survey
13/11/2020	P.1385.20		Arboricultural Impact Assessment
15/10/2020	-	-	Fire Station Demolition area
15/10/2020	DBall/05	-	Proposed Floor Plans
15/10/2020	-	-	Design and Access Statement
15/10/2020	-	-	Bat Survey

Informatives

N/A

Andrew Hunt
3 October 2022

Alan Kilroe
6 October 2022

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