

## **REGENERATION AND ECONOMIC DEVELOPMENT DEPARTMENT**

**APPLICATION NO:** 21/00374/FUL

**APPLICANT:** Brian Taylor

**WARD AFFECTED:** Prescott South

**DEVELOPMENT:** ERECTION OF 1NO SEMI-DETACHED DWELLING

**LOCATION OF SITE:** 37 Cross Lane, Prescott, L35 3QG

### **KNOWSLEY LOCAL PLAN ALLOCATION –**

Primary Residential Area

### **RELEVANT POLICIES**

#### **KNOWSLEY LOCAL PLAN: CORE STRATEGY**

CS2 - Development Principles

CS3 - Housing Supply, Delivery and Distribution

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)**

H5 - Development within Primarily Residential Areas

DQ4 - Trees and Development

ENV5 - Contaminated Land

### **ARTICLE 35**

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.

### **PLANNING HISTORY**

None Relevant

### **TECHNICAL CONSULTATIONS:**

Arboriculture – No objection. No trees appear to be affected.

Environmental Health – No objection subject to conditions in relation to Land contamination, reporting of unexpected contamination, importation of soil/material and construction hours.

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

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Highway Authority – The parking space provided to the front of the development avoids the junction radius of Old Colliery Road and as such is acceptable in principle. The hard standing area to the front of the dwelling will need to be 5.5m length and width of 3.3m. Boundary treatment will need to be kept below a 0.6m height for 2m either side of the new driveway access, to ensure that pedestrian visibility can be achieved. It is requested that a parking space is provided to the rear.

Merseyside Fire and Rescue Service – No objection subject to informatives in relation to fire fighting regulations.

United Utilities – Conditions are requested in relation to a surface water drainage scheme, suds maintenance and for the separate drainage of foul and surface water. The site should drain in accordance with the drainage hierarchy in the planning practice guidance. There is water infrastructure on the site in the form of a water main and public sewer which may affect the layout of the development.

### **NEIGHBOUR NOTIFICATION:**

This application has been publicised by letters sent to 13 neighbours. No representations have been received.

### **ISSUES AND ASSESSMENT:**

#### **PROPOSAL**

The application is for the erection of 1 no semi detached dwelling\*.

*\*The application has been amended in relation to the height of the dwelling, the front elevation window and doors, and the location of parking spaces\* however, these amendments do not materially affect neighbours and no – re consultation is required.*

#### **PRINCIPLE OF DEVELOPMENT**

The application site is situated within a Primarily Residential Area where housing development is acceptable in principle. Therefore, the development is considered acceptable in principle.

#### **STREET SCENE**

Amendments have been made to the application to increase the height level of the building to match that of the adjacent end terrace property. As a result, the dwelling would now match the height levels of the adjoining terrace. The front elevation windows and doors have also been amended to match those of the adjacent terrace. There would be no harm in relation to the streetscene as open corner plots are not a characteristic of the area. The plot on the opposite side of Old Colliery Road is also similarly developed with a large two storey building close to the corner. The dwelling would be less prominent than the building opposite, as the building projects forward of the building line for the area.

Overall, it is considered that there will not be harm to the streetscene from the proposal. Therefore, it is considered that the development complies with Core Strategy Policy CS21.

#### **RESIDENTIAL AMENITY**

##### **Existing Residents**

*37 Cross Lane*

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

In relation to the existing corner dwelling, it is considered that the dwelling would not result in harm to the amenity of 37. The proposed building would not extend any further out at the front or rear than 37 and would still leave sufficient amenity space (it would have the same amenity space as the other terraced properties).

#### *44 Cross Lane*

In relation to 44 cross lane. The dwelling would not project any further forward than the existing building line on Cross Lane. There would be 23 metres between the front of the dwellings. This exceeds the 20m standard for front to front elevations in the New Residential Development SPD. Therefore, there would be no harm to residential amenity.

#### *Other Dwellings*

In relation to other dwellings, these would be less impacted than 37 and 44 as they are located further away from the property. There would be no harm to the amenity of other properties from the dwelling.

Overall, the application would not harm residential amenity and is consistent with Core Strategy Policy CS19.

#### Future Occupiers

#### *Private Amenity Space*

The dwellings garden length (7.25 metres) would be below the 10 metre standard distance in the New Housing Development SPD, however, this has been increased through amendments to increase the rear garden area by eliminating a parking space.

The dwelling would now have the same length private garden space as 37 with a slightly wider garden area, other properties within the area have similar length gardens. The garden is considered to provide an acceptable level of amenity space. Overall, the application would comply with Core Strategy policy CS19.

### **HIGHWAYS**

The dwellings only provide 1 parking space per dwelling. This is below the 2 spaces required for 3 bedroom dwellings by the council's parking standards. However, the site is within the urban area and is considered to be accessible by public transport. NPPF para 109 states that a development should only be 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*".

In this case it is considered that the development would not lead to an unacceptable impact on highway safety or a severe impact on the road network. As a result, refusal of the application on highways grounds would not be justified.

A condition will be imposed to ensure adequate visibility splays at the front of the property. It is considered that electric vehicle charging points could be secured by a condition. Overall, the development complies with Core Strategy Policy CS7.

### **TREES**

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

The development would not affect any existing trees. This is supported by the view of the council's arboricultural officer who has no objection to the application. Overall, it is considered that there would be no harm in relation to trees from the development and the development complies with core strategy policy CS21.

## **FLOOD RISK**

It is considered that the development will not cause harm in relation to Flood risk. This is supported by the views of United Utilities who have no objection. However, it is considered that a condition to require SUD's scheme would not be reasonable or proportional to the scheme and would be inconsistent with NPPF Para 169 which requires sustainable drainage Schemes only for Major Developments. A condition will be imposed to ensure foul and surface water drain on separate systems. Overall, the development complies with Core Strategy Policy CS24.

## **OTHER MATTERS**

It is considered that matters such as contamination can be appropriately dealt with via conditions.

In relation to the presence of water infrastructure, this would not be a planning matter but would be a matter between the applicant and the relevant body.

## **CONCLUSION**

The proposal is acceptable in principle and would not cause harm in relation to living conditions, highways, trees or flood risk. The application complies with local planning policies and is recommended for approval.

## **RECOMMENDATION:**

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

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

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) Electric Vehicle Charging Points

No dwelling shall be occupied until an outdoor, weatherproof electric vehicle charging points 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

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

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.

4) Full Fibre Broadband

No dwelling hereby approved shall be occupied until a full fibre broadband connection has been installed and made available for use.

Reason: To support economic growth in accordance with NPPF Para 112.

5) Visibility Splays

No part of the development shall be brought into use until visibility splays of 2m metres by 2m metres, have been provided at the proposed (site access). 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 provide appropriate visibility in the interests of highways safety.

6) Contaminated Land

Based on the information available 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.

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.

7) 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

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

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: To prevent contamination and to protect human health in accordance with Core Strategy Policy CS19.

8) 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.

Reason: To prevent contamination and to protect human health in accordance with Core Strategy Policy CS19.

9) Permitted Development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order with or without modification), no extensions, additions to the roof, porches, or outbuildings (Schedule 2 Part 1 - Class A, B, D and E), shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of neighbouring residents and to prevent over development of the site.

10) Foul and Surface Water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

11) Construction Hours

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.

Informatives

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

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1) United Utilities' Property, Assets and Infrastructure

A water main crosses the site. United Utilities need access for operating and maintaining it. Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

2) Dropped Crossing

A vehicle dropped crossing will be required for any proposed or widened vehicular access required for access to on-site parking. Permission will need to be sought from Highways in order to provide a vehicle dropped crossing.

3) Merseyside Fire and Rescue

☐ Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations.

☐ Water supplies for fire fighting purposes should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

☐ Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

\* The premises should comply with Section 55 of the County of Merseyside Act 1980

## SCHEDULE 1

| Date Received | Ref. No | Version | Drawing/Document Title               |
|---------------|---------|---------|--------------------------------------|
| 01/09/2021    | -       | -       | Proposed Site Plan – Received 19:09. |
| 10/07/2021    | -       | Mod 2   | Existing and Proposed Rear Elevation |
| 22/09/2021    | 17      |         | Proposed Front Elevation             |
| 15/06/2021    | -       | -       | Location Plan                        |
| 22/09/2021    | 4       | -       | Proposed First Floor Plan            |
| 22/09/2021    | 3       | -       | Proposed Ground Floor                |
| 28/04/2021    | 11      | -       | Proposed Side Elevation              |

Andrew Hunt

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

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22 September 2021

Alan Kilroe

23 September 2021

| Document Reference | Document Issue Number | Document Issue Date |
|--------------------|-----------------------|---------------------|
| PS/DC/OP04/05      | 003                   | 23/9/02             |

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