

Regeneration and Economic Development Department

APPLICATION NO: 22/00329/FUL

APPLICANT: Mr and Mrs Crosby

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT: VARIATION OF CONDITION NO.2 (APPROVED PLANS) OF PLANNING PERMISSION 21/00633/FUL (DEMOLITION OF EXISTING DWELLING, GARAGE AND OUTBUILDINGS AND THE ERECTION OF A DETACHED FIVE BEDROOM DWELLING WITH ATTACHED GARAGE INCLUDING THE ERECTION OF A FRONT BOUNDARY 1.91M HIGH WALL WITH ELECTRIC VEHICLE ENTRANCE GATES TO LODGE LANE TOGETHER WITH ASSOCIATED PARKING AND LANDSCAPING) TO ALLOW FOR AMENDMENTS TO APPROVED PLANS TO CHANGE INTEGRAL GARAGE TO HABITABLE ROOM WITH BI-FOLD DOORS

LOCATION OF SITE: Woodlands, Lodge Lane, Cronton, Knowsley, WA8 4QB

KNOWSLEY LOCAL PLAN ALLOCATION –

Green Belt

RELEVANT POLICIES

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS5 - Green Belt
CS7 - Transport Networks
CS8 - Green Infrastructure
CS20 - Managing the Borough's Historic Environment
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS22 - Sustainable and Low Carbon Development
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
ENV3 – Light Pollution
ENV5 – Contaminated Land

Joint Waste Local Plan 2013

WM8 – Waste Prevention and Resource Management
WM9 – Sustainable Waste Management Design and Layout for New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Amended New Residential Development SPD (2018)
Design Quality in New Development SPD (2016)
Trees and Development SPD (2016)

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TECHNICAL CONSULTATIONS:

Cronton Parish Council - No objection to the proposed amendments providing the proposal meets the requirements for development on greenbelt and that the height of the wall 1.91m is acceptable and within planning regulations.

Merseyside Fire and Rescue Authority - No objections. Make comments in relation to access for fire appliances; water supply and Section 55 of the County of Merseyside Act 1980.

In terms of the comments raised by Cronton Parish Council, the principle of the erection of the dwelling in the green belt and the associated wall was approved under planning reference 21/00633/FUL. This current planning application seeks a minor material amendment to the approved plans only. Furthermore, no comments were raised by the Town Council in respect of the wall in relation to the earlier planning application.

NEIGHBOUR NOTIFICATION:

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

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.

ISSUES AND ASSESSMENT:

SITE AND SURROUNDINGS

The application site is located within the Green Belt. There is an existing dwelling and outbuilding located on the site which would be replaced by a new dwelling further into the site which is currently under construction. The site is accessed from Lodge Lane, a narrow unsurfaced track leading from Cronton Road, Cronton.

Officer's site visit reveals that construction works are well underway, although the amendments sought have not been carried out.

PROPOSAL

The application is submitted under Section 73 of the Town and Country Planning Act 1990. It seeks to vary condition 2 attached to the original planning permission granted under reference 21/00633/FUL in January 2022 for the demolition of an existing dwelling, garage and outbuildings and the erection of a detached five-bedroom dwelling with attached garage including the erection of a front boundary 1.91m high wall with electric vehicle entrance gates to Lodge Lane together with associated parking and landscaping. Condition 2 relates to the approved plans and documents listed in Schedule 1.

The approved dwelling incorporates an integral double garage with internal dimensions of 5.5 m deep by 5.8 m wide. It has an up-and-over door to the front elevation and a small window to the side elevation. An internal door at the rear of the garage leads from the garage into the dwelling.

The current proposal seeks consent to allow for amendments to the approved plans to change the integral garage to a habitable room (games room) with bi-fold doors to the front to replace the garage door as approved. The side window and the door leading to the dwelling at the rear would remain as the approved drawings. All other aspects of the dwelling would be as previously approved.

POLICY CONSIDERATIONS

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The site is allocated as Green Belt on the Local Plan Policies Map. The principle of the erection of a replacement dwelling in the Green Belt has previously established when permission was granted under planning reference 21/00633/FUL.

The assessment of this current application is strictly limited to the merits of varying the stated condition. The planning permission, including all other relevant attached conditions, would remain unchanged. The amendments proposed by the current planning application will not have any greater impact on the Green Belt than the development approved by extant planning permission (21/00633/FUL). The proposed development therefore remains acceptable in terms of the site's Green Belt allocation.

There have been no changes to national or development plan policies that have changed significantly since the original grant of planning permission. The amended application under consideration remains to comply with the above noted policies and with the New Residential Development SPD.

DESIGN, ACCESS AND CRIME PREVENTION

The revised opening from a garage door to bi-folding doors would not be detrimental to the character of the new dwelling or the character and visual amenity of the area in general. This is having regard to the acceptance of the design of the approved dwelling, which incorporates a double height glazed feature within the central point and other contemporary features including large, glazed elements elsewhere across the design and given that the dwelling would be set approximately 10 m into the site.

The current application proposes an amended design to the dwelling which remains acceptable in terms of design. The application is supported by a materials schedule which identifies that the bi-folding doors would be polyester powder coated aluminium Jet Black (RAL 9005), which aligns with the windows proposed with the main dwelling.

The amendments do not give rise to any further considerations in relation to access and crime prevention.

HIGHWAYS

The amendments would see no changes to the access to the site from Lodge Lane.

The proposal would see parking that was to be accommodated in a garage being removed from the scheme and given over to additional domestic accommodation in the form of a games room. The dwelling would have 5 bedrooms and the Council's parking standards for a dwelling of this size requires that 3 no. in-curtilage parking spaces are provided.

Whilst the proposal would see the loss of the garage parking, the approved site layout drawings show that there would be hardstanding to the front of the dwelling that can adequately accommodate 3 no. parking spaces on plot. This would also allow for adequate manoeuvrability of vehicles on the site.

The amended scheme proposed by the current application therefore remains acceptable in relation to highway and parking considerations.

RESIDENTIAL AMENITY

The approved dwelling is located on Lodge Lane where there are sporadic residential dwellings with the nearest residential dwelling, Stone Cottage, being located approximately 80 m to the north-west from the application site boundary.

The proposed amendments to the replacement dwelling would not have any detrimental impacts on the residential amenity of existing dwellings.

OTHER MATTERS

None.

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CONCLUSION

The proposed dwelling as revised does not raise any new issues relating to the principle of the residential development having regard to the site's location in the Green Belt. The current application proposes an amended design to the dwelling which remains acceptable; adequate parking provision would be achieved on plot and the amendments would not have any detrimental impacts on the residential amenity of existing residents. The application complies with planning policies and is therefore recommended for approval.

RECOMMENDATION:

That planning permission be granted subject to the following condition(s): -

- 1) 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.

- 2) 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, Parts 1 a) – f) and 2 a) – b), or any amendments made to that Order, shall not apply:

- (i) no extensions shall be carried out to the dwelling
- (ii) no garages or carports shall be erected within the curtilage of the dwelling
- (iii) no vehicle standing space shall be provided within the curtilage of the dwelling
- (iv) no buildings, gates, walls, fences or other structures shall be erected within the curtilage of the dwelling
- (v) no means of access shall be constructed to the curtilage of the dwelling
- (vi) no windows or dormer windows shall be added to 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 this residential development and to comply with the National Planning Policy Framework; Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 3) As advised within the Desk Study with Walkover Survey, prepared by Sub Surface, Report No. 7425 (February 2022) submitted and agreed pursuant to Condition 5 of planning permission granted under reference 21/00633/FUL a watching brief shall be undertaken during groundworks.
 - a) If significant made ground is identified or if visual or olfactory evidence of contamination is noted, then the Local Planning Authority shall be informed immediately.
 - b) If material is imported onto site (either topsoil or subsoil) for areas of garden or landscaping, then demonstrable evidence shall be provided that it is suitable for use.
 - c) Asbestos sheeting noted during the site walkover shall be appropriately disposed of.

In any event the applicant/developer is requested to contact the Council's Environmental Health Team (Tel: 0151 443 4712) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site.

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Prior to the first occupation of the dwelling, details confirming whether or not any of the actions were required and evidence of the appropriate disposal of asbestos shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of preventing contamination in the interests of human health and to prevent pollution of the water environment and to comply with the National Planning Policy Framework, Policy 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.

- 4) No construction / demolition work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to comply with the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2006 and Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) The development hereby permitted shall be carried out in accordance with Drawing No: P.1600.22.02 – Landscape Mitigation Plan Sheets 1 and 2 submitted pursuant to Condition 7 of planning permission referenced 21/00633/FUL.

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 the interests of visual amenity, to allow for the continuation of tree cover within the area and to comply with the National Planning Policy Framework, Policies CS8 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016; Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Trees and Development SPD.

- 6) The protective fencing referred to in the approved Arboricultural Method Statement, received 20 October 2021 in support of planning permission referenced 21/00633/FUL, prepared by We Know Services referenced 21/00064/AMS (September 2021) shall be retained in place until the development is complete.

Reason: To ensure that the proper protection of trees has been carried out in the Interest of visual amenity and to comply with the National Planning Policy Framework, Policies CS2, CS19, CS8 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Trees and Development SPD (2016).

- 7) No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to 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 buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

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Reason: To safeguard protected species and to comply with the National Planning Policy Framework and Policies CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 8) The development hereby permitted shall not be occupied until:
- a) The bird and bat boxes as indicated on Drawing No. P.1600.22.01 submitted and agreed pursuant to Condition 10 of planning permission granted under reference 21/00633/FUL have been installed in accordance with the agreed details; and
 - b) Evidence that the boxes have been installed in accordance with the agreed details has been submitted to the Local Planning Authority.

Reason: To safeguard protected species and to comply with the National Planning Policy Framework and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 9) The following measures shall be undertaken during the construction phase of the development hereby approved:
- a) Existing vegetation on the site shall be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas;
 - b) The working area, together with any storage areas, shall be kept clear of debris, and any stored materials shall be kept off the ground on pallets so as to prevent amphibians / reptiles from seeking shelter or protection within them; and
 - c) Any open excavations (e.g. foundations / footings / service trenches etc) shall be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets shall be covered with a thick layer of topsoil or similar) to prevent amphibians / reptiles 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 / reptiles.

Reason: To safeguard Great Crested Newt and other reptiles and to comply with the National Planning Policy Framework and Policies CS2 and CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
15/09/2022	1704	REV A	PROPOSED MATERIALS FOR APPROVAL
31/05/2022	00_01A	-	LOCATION PLAN
31/05/2022	02_01C	-	PROPOSED PLANS AND ELEVATIONS
07/12/2021	-	-	PROTECTED SPECIES SURVEY STATEMENT (BATS)
07/12/2021	-	-	PROTECTED SPECIES SURVEY STATEMENT - AMPHIBIAN 'HABITAT INDEX' (HSI)

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			ASSESSMENT OF PONDS IN PROXIMITY TO SITE.
20/10/2021	21/00064/AIA	FIRST ISSUE	ARBORICULTURAL IMPACT ASSESSMENT (SEPTEMBER 2021)
20/10/2021	21/00064/AMS	FIRST ISSUE	ARBORICULTURAL METHOD STATEMENT (SEPTEMBER 2021)

Informatives

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

1. 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

2. *Water Vole*

The ditch running along the eastern boundary of the site may provide habitat for water vole. To avoid undue disturbance and to safeguard water voles which are a protected species, in line with best practice guidance¹ no works should be carried out within a minimum of 5 metres of the top of the bank.

3. *European protected species*

The applicant, their advisers and contractors should be aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.

Maxine Wishart

12 September 2022

Alan Kilroe

3 October 2022

¹ Dean, M., Strachan, R., Gow, D. and Andrews, R. (2016). *The Water Vole Mitigation Handbook* (The Mammal Society Mitigation Guidance Series). Eds Fiona Mathews and Paul Chanin. The Mammal Society, London.

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