

APPLICATION NO: 24/00526/FUL **CASE OFFICER:** Reece Black

WARD: Page Moss **PARISH:**

LOCATION: Hope Primary School, Lordens Road, Huyton

PROPOSAL: ERECTION OF SINGLE STOREY MODULAR BUILDING WITH ROOF OVERHANG, INCORPORATING 3NO. CLASSROOMS, W/CS, OFFICE, CALM AND SENSORY ROOMS AND COVERED EXTERNAL YARD AREAS

Site Description

The application site is located off Lordons Road, Huyton. The site comprises of a rectangular, modern building and is situated within an area which is allocated as Urban Greenspace and Education Land in the Development Plan.

The site features playing courts, a MUGA and associated playing fields to the north. The rest of the plot is encircled by green space and fields.

The site area where the proposal would be sited is currently occupied by a timber canopy shelter on top of hard surfacing. The site features trees along the plot boundary with some trees just forward of this.

Proposal

The application seeks permission for the erection of a single storey standalone modular building with roof overhang. This will provide 3 no. classrooms and further facilities comprising toilets, office, calm and sensory rooms and covered external yard areas.

The proposal will be situated to the west/north-west of the existing school building approximately 22m away. It will be rectangular in shape. The proposed development will have a width of 31.5m and a depth of 9m (283.sqm). This would be served by a shallow, mono-pitched roof, which would measure at a height of 2.9m at the eaves and 3.5m at its tallest point. The roof would feature a canopy design and overhang to the side elevations by 5m and 1.8m (at its furthest) to the front elevation.

The proposal would include associated works of hard and soft landscaping. The hard landscaping would comprise laying of hardstanding to provide usable space for outdoor leaning and play and would measure 503.7.sqm.

The application has been submitted as to allow for specialist teaching, provisions, and space for those with Special Educational Needs and to ensure they can continue to remain in mainstream education. The application has been supported by a Design, Access and Planning Statement (DAS) and a Biodiversity Net Gain Small Site Metric. The proposed development would see the removal of 7 no. trees and the demolition of the existing timber canopy structure.

Consultations

Highway Authority: – No objections raised; previously suggested conditions have been withdrawn.

Environmental Health: – No objections raised, subject to suggested condition pertaining to hours of construction, agreed informative to cover reporting of unexpected contamination and the further information submitted by the agent (received 14.01.2025) be made an approved document.

Arboricultural Officer: – No comments received.

ESS – BNG: – No objections and satisfied with the information provided for BNG.

Sport England: – Objection withdrew due to further information submitted.

United Utilities: – No objections raised, subject to suggested conditions.

Merseyside Fire and Rescue Authority: – No objections raised.

Representations

This application has been publicised by letters sent to 55 neighbours. No representations have been received.

Planning History

APP. NO: 24/00006/FUL

PROPOSAL: ERECTION OF SINGLE STOREY MODULAR BUILDING TO REAR OF EXISTING SCHOOL, INCORPORATING 3NO. CLASSROOMS, W.C FACILITIES, CALM ROOM AND SENSORY ROOM FOR PUPILS WITH SPECIALIST EDUCATION REQUIREMENTS

DECISION: GRANTED

DECISION DATE: 14 March 2024

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policies DQ4 and OS7 of the Unitary Development Plan (2006).

These policies and guidance require that new development demonstrates a high standard of design, which does not adversely affect the character of the property or street scene; maintains a good standard of amenity for all existing and future occupants; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact; and that adequate parking and garden space would remain for use by residents of the extended property.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

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

DQ4 - Trees and Development

OS7 - Educational Uses and Sites

NATIONAL POLICIES

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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.

Assessment

Principle of Development

The application is a fresh application following a previously approved scheme (24/00006/FUL) for the same proposed development which raised issues around the buildability. The current application has been submitted as the proposal has been relocated on site to account for the location of the existing public sewers and the implications of a 'build-over' agreement required by United Utilities it has meant that a subsequent application is required to relocate the proposed modular building.

The proposed site marked for development falls within an area allocated as Urban Greenspace and Education Land. Therefore, CS21 (Greenspaces and Trees) is a relevant policy consideration. The proposal would be situated adjacent to hardstanding as close as practicable to the existing school building without

encroaching onto the wayleave zone for the sewers. Although the proposal would result in the loss of a portion of the urban greenspace for the school it would be sited in the most practical location and in a space which could not practically be used to support a playing pitch.

Core Strategy Policy CS21 (Greenspace and Trees) (Criterion 2) states that new development which would result in the loss of urban greenspace, will not be permitted unless at least one of the (where relevant) following criteria are met:

1. A surplus of provision for all types of greenspace would be maintained relative to local standards;
2. The land is considered unsuitable in terms of size, location or character to prevent or address individual deficiencies of different types of greenspace relative to local standards;
3. Appropriate mitigation is provided through replacement facilities of at least an equal quantity, quality and accessibility;
4. The development is required to improve greenspace provision or for ancillary facilities to support sport or recreation; or
5. Where the proposal relates to the loss of indoor or outdoor sports provision, and there is no evidence of future or continuing need for sports use, or alternatively only land incapable of forming a playing pitch or sporting facility is affected and its release accords with either clause 2)a) or 2)b).

Following further information provided by the agent, Sport England withdrew their position of an objection to the scheme and confirm that the proposal would only impact land incapable of becoming a playing field. Sport England now consider the proposal to accord the requirements of exception 3 of the Playing Fields Policy and would accord with Paragraph 104 of the NPPF.

The scheme would accord with criterion e) of CS21 as the location of the proposal would be situated within land that would be incapable of forming a playing pitch or sporting facility, as in accord with criterion b) allows for the loss of urban greenspace in which the land is considered unsuitable in terms of size, location or character. The area proposed for the scheme is currently unused grass land, considered ancillary to the sports pitches found on the site.

The space designated for the proposal is currently unused grass land, which is considered ancillary to the sports pitches also on the site, the development of these classrooms which face directly onto the grass, will allow more of this green space to be utilised further than it currently is within lesson time by the students due to their close proximity to the green space. Moreover, the school has a written agreement with Knowsley Community College, which allows the school to use the college's all weather playing surface. There is a gate installed between the school and the pitch to allow access. This is partially because the school playing field is not fit for purpose for significant periods of the year because of waterlogging. Therefore, the proposal would broadly comply with Criterion b) & e) of CS21. This view has been affirmed by Sport England and is addressed further within the report.

Sport England

Following further information upon re-consultation, Sport England have withdrawn the objection and confirm that the proposal would only impact land incapable of becoming a playing field. The application as revised would not conflict with CS21 of Saved Policy OS7.

Design

The proposed development is single storey and would have an acceptable scale. It would be situated predominantly behind the main school building and would be prominently screened by this; the application site itself is situated in a fairly discrete location. It is considered that the proposal would feature an acceptable design and would not harshly contrast to the existing building

The proposed development would be timber cladding faced (cedar) on all elevations, along with custom coloured MDF panels (bright coloured) to integrate with the existing school aesthetic whilst offering a sensitive contrast to appear visually attractive.

The fenestration would comprise factory painted hardwood frames; no further details have been specified. The roof would be constructed from a powder coated pressed aluminium fascia insulated steel roof. The arrangement of fenestration is acceptable and features predominantly full height windows, that are in line with access doors to the building, with a few square-shaped windows. These are considered acceptable.

A planning condition to request a full specification of materials can be attached to secure full details of the external materials used on the proposals but from the details provided, no adverse harms by design and appearance have been identified.

Overall, the from the submitted details (together with conditions to further secure suitable design and appearance and maintenance) the proposed development would be considered to integrate positively to the application site. The scheme would accord with CS2, CS19, and Saved Policy OS7.

Residential Amenity

The closest residential dwellings are situated to the north/north-east of where the proposal would be sited at a distance of 100m+ and therefore would not be considered to suffer any adverse harm to residential amenities. As the proposal would be constructed off site and subsequently harm to residential amenities, the immediate school environment.

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

Highways

Access to the site is obtained via Lordens Road, located to the front curtilage of the site. The proposed development would not introduce any additional or alternative access to the site.

The proposal is not to accommodate for any additional pupils or staff numbers and subsequently there would be no requirement for additional or replacement parking. The Local Highway Authority were consulted on the proposed development and have no raised no objections.

Highways had initially suggested conditions for a Construction Management Plan, a condition restricting access and egress to construction vehicles at peak school commute times and for the submission of a School Travel Plan.

Following further discussion with Highways, it has been agreed that these conditions would not be necessary for reasons such as confirmation from the agent that the proposal would not increase the number of pupils attending the school, the small-scale nature of the proposal, the fact that it would largely be completed off-site and any construction would be relatively short-term to not warrant any Construction Management Plan or condition for access and egress of construction vehicles. The application 24/00006/FUL did not include any conditions akin to these requested and therefore, in the interest of consistency, that decision should hold weight as a material consideration which would support the view that these conditions would not be required. This has been agreed with Highways, who have reviewed the consultation response. No conditions are considered necessary from a Highways perspective. They have identified that there is the potential of the possibility that an abnormal load permit would be required and have provided some further information for the benefit of the applicant; this would be included as an informative.

The proposed development would not raise any adverse highway safety issues and would be in accord with CS2, CS19 and Saved Policy OS7.

Other issues

Environmental Health

Environmental Health were consulted on the application. No objections were received; however, two suggested conditions were provided which relate to the reporting of unexpected contamination and hours of construction.

The previous application included an informative for reporting of unexpected contamination. In the interest of consistency, this has been agreed with Environmental Health that it would be acceptable to do for this application also. Hours of construction, in line with the previous application, would be included as a condition.

The consultation response confirms that the Council does not hold any record of contamination issues at the application site. Although, the applicant provided further information from questions posed by Environmental Health relating to foundations and slab design, that they will install a gas membrane, with all service penetrations and joints to be sealed and taped. This will be included within Schedule 1 as an approved document at the request of Environmental Health.

Overall, the proposed development would not be considered to result in any unacceptable harm, and this has been agreed by Environmental Health and would accord with Saved Policies OS7 and ENV2.

Trees

The proposal would see the removal of 7 trees.

Saved Policy DQ4 states that, where the Council accepts that tree loss will be unavoidable the applicant will be required to make adequate provisions for their replacement, normally including two new trees for each tree lost. Replacement planting will take into account the number; size and species of trees lost and should contribute to the extension of tree and woodland cover across the Borough.

A Tree Survey (Arboricultural Impact Assessment or Method Statement) has not been submitted in support of the application. The submitted Existing and Proposed

Site Plan, drawing no.7273-HPR-CUN-XX-XX-DR-A-1200 - REV.P02, received 14.02.2025, show that a total of 14 no. trees will be planted to take account of the replacement tree policy in line with Saved Policy DQ4. will be planted on site to consider 2:1 replacement tree planting. No information on size and species have been provided, however, the precise details to this could be finalised by a planning condition.

No comments have been received from the Council's Arboricultural Officer.

Overall, the proposed development would be considered to have an acceptable impact on trees and, through amendments made to the scheme and pending the further, precise details by the condition applied, the proposal would be considered to have an acceptable impact on trees. Where tree loss is unavoidable, 2-for-1 replacement planting has been agreed. The proposal would be acceptable and accord with Saved Policy DQ4 of the UDP and Core Strategy Policy CS21.

Biodiversity Net Gain (BNG)

The proposed scheme would not comply with any listed exemptions for BNG and therefore is required to provide a 10% uplift.

The submitted BNG Small Sites Statutory Metric has been reviewed by Environmental Sustainability (ESS), who have advised that the applicant has demonstrated that the proposals would meet the required 10% net gain target.

The onsite BNG within the submitted landscape plan is not considered to be significant enhancement and the plan, and its implementation can be secured by a suitably worded planning condition.

BNG is applied as a pre-commencement planning condition and therefore a Biodiversity Gain Plan (BGP) must be submitted to and approved in writing by the LPA prior to development commencing. This will be applied should the application be granted.

The LPA, following the consultation response from ESS, is satisfied that the required BNG uplift can be accomplished on-site.

United Utilities

United Utilities were consulted on the scheme. No objections have been raised, however, conditions have been requested to be included, should planning permission be granted.

These related to details of a sustainable surface water drainage scheme and a foul water drainage scheme, management and maintenance of Sustainable Drainage Systems (SuDS) and finally a condition for further details of ensuring the public surface and foul water sewers that are laid within the site boundary is protected from damage because of the development and shall be applied.

These conditions will not be applied as the scheme is of a very small-scale and the proposed development would be located within flood zone 1, however, a copy of letter from United Utilities will be shared with the applicant.

Conclusion

The proposal would be acceptable, subject to further details secured by conditions in

terms of design, residential amenity, highways, open green space, ecology, trees and Biodiversity Net Gain. The proposed scheme would utilise an underused area of the playing field to create provision for pupils with special educational needs at school. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

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) Notwithstanding any description of materials in the application, no above ground construction works shall take place until a full specification of materials to be used externally on the proposed buildings 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, unless otherwise agreed in writing by the Local Planning Authority. 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 Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) No work for the construction of the proposed development hereby approved, including demolition and deliveries to and from the site shall take place on the site outside the hours of:

08.00 - 18.00 Monday to Friday; and
08.00 - 13.00 on Saturdays;
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 Saved Policies S2 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) Prior to the commencement of development, a biodiversity gain plan must be submitted to the Local Planning Authority. The plan must include the following:
 - (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
 - (b) the pre-development biodiversity value of the onsite habitat,

- (c) the post-development biodiversity value of the onsite habitat,
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
- (e) any biodiversity credits purchased for the development, and
- (f) such other matters as the Secretary of State may by regulations specify.

The plan will be informed by a landscaping scheme (see condition 6).
Development cannot commence until the biodiversity net gain plan has been approved by the Local Planning Authority.

Reason: To comply with the Environment Act 2021.

- 6) Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until further details of the previously agreed soft landscaping works (proposed 14 trees) as shown on the submitted 'Existing and Proposed Site Plan', drawing no. 7273-HPR-CUN-XX-XX-DR-A-1200 - REV.P02, received 14.02.2025) have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- b) existing plants / trees to be retained
- c) A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the first use of the proposed development to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
02/10/2024	-	-	APPLICATION FORM
28/10/2024	7273-HPR-CUN-XX-XX-DR-A-1000	REV.P01	LOCATION PLAN

21/01/2025	7273-HPR-CUN-XX-XX-DR-A-2100	-	PROPOSED ELEVATIONS
28/10/2024	7273-HPR-CUN-XX-00-DR-A-2010	REV.P01	PROPOSED FLOOR AND ROOF PLAN
14/02/2025	7273-HPR-CUN-XX-XX-DR-A-1200	REV.P02	EXISTING AND PROPOSED SITE PLAN
14/01/2025	-	-	CORRESPONDENCE WITH AGENT (ENVIRONMENTAL HEALTH QUERIES)
13/02/2025	-	REV 2	DESIGN, ACCESS AND PLANNING STATEMENT

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: Jo Sheridan

Date: 28/05/2025

Informatives

- 1) See attached letter from Merseyside Fire Authority.
- 2) See attached letter from United Utilities.
- 3) If contamination is found at any time when carrying out the approved development that was not previously identified it is advisable that the applicant report immediately to the Local Planning Authority. Development on the part of the site affected may have to halt until a risk assessment is completed and submitted to the Local Planning Authority.
- 4) The applicant is reminded that it is an offence to allow material carried from the site to be deposited on or cause damage to the highway, because of dirty wheels or badly loaded vehicles. Should this occur, the Council as Local Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute offenders under Sections 131, 148 and 149 of the Highways Act 1980.
- 5) Biodiversity net gain is a pre-commencement planning condition therefore a Biodiversity Gain Plan must be submitted to the LPA prior to development commencing. A biodiversity

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

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gain plan template can be found on the government website (Biodiversity gain plan - GOV.UK)