

<u>APPLICATION NO:</u>	23/00051/FUL	<u>CASE OFFICER:</u>	Mark Quinn
<u>WARD:</u>	Prescot South	<u>PARISH:</u>	Whiston Town Council

LOCATION: Land Adjacent To 13 Brookside Road And To Rear Of 2-16 Brookside Close (Silcock Field), Prescot, Knowsley

PROPOSAL: VARIATION OF CONDITION NO. 2 (APPROVED PLANS) AND NO. 3 (MATERIALS) ATTACHED TO PLANNING PERMISSION 19/00682/FUL (ERECTION OF 2 NO. BLOCK OF AFFORDABLE RENT APARTMENTS CONTAINING 24 NO. DWELLINGS TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING) TO ALLOW FOR CHANGES TO MATERIAL SCHEDULE FOR MAIN ENTRANCE DOOR CANOPY

Site Description

This site is allocated as a primarily residential area. The site is bounded by existing residential development (Brookside Close) to the north, and east (Youatt Avenue), Whiston Greenway and cycle path to the south and east.

The site is currently under construction.

Proposal

Planning permission was granted in May 2020 for erection of 2no block of affordable rent apartments containing 24no dwellings, together with associated access, parking and landscaping.

This application requires the canopy over the main entrance door of every apartment to be changed from a pitched Perspex canopy to a flat GRP white and grey canopy.

Consultations

Whiston Town Council - No Comments Received

Representations

This application has been publicised by letters sent to 32 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

74/01343/HIST- Proposed 8 semi- detached and 1 detached dwelling. - Granted September 1978

74/03446/HIST – Proposed 35 flats - Granted March 1979.

74/10312/HIST – Proposed 18 flats – Granted November 1987

74/14121/HIST – Proposed erection of 20 flats – Granted April 1993

10/00589/FUL – Erection of 11 dwellings – Granted April 2011.

19/00682/FUL - ERECTION OF 2NO BLOCK OF AFFORDABLE RENT APARTMENTS CONTAINING 24NO DWELLINGS, TOGETHER WITH ASSOCIATED ACCESS, PARKING

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

Article 35 Statement

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.

Assessment

The approved canopies had no particular architectural significance although these types of features do add some interest to the elevations.

The proposed canopies would be slightly more prominent than the approved features, however the GPD flat roof canopies finished in white/grey are considered to be acceptable in design/appearance and would still be in compliance with Local Plan policy CS19.

The majority of planning conditions attached to planning permission 19/00682/FUL have already been discharged so the conditions can be re-worded to ensure compliance with the approved details. Those conditions which have yet to be discharged are repeated on this planning permission.

Conclusion

The amendment to the materials schedule and elevations are considered to be acceptable in terms of design, materials and appearance and would be in compliance with Local Plan policy CS19.

Recommendation

That planning permission be granted subject to the following conditions:-

- 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 facing materials to be used externally of the buildings shall be in accordance with the submitted materials schedule ref 3347 23.02.02 received 07.02.2023.

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.

- 3) The approved landscaping works shall be implemented and completed in accordance with the details approved pursuant to condition 4 attached to planning permission 19/00682/FUL.

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 H5 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.

- 4) The development hereby permitted shall be carried out in accordance with the Construction Management Plan approved pursuant to condition 5 attached to planning permission 19/00682/FUL.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) The remediation scheme approved pursuant to condition 6 attached to planning permission 19/00682/FUL shall be fully implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

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.

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: In the interests of safety, to prevent pollution of the water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006. These details are required before development commences because once development commences contaminated land may be disturbed and it is important that this is managed in a way that protects human health and the water environment.

- 6) The scheme for the bird boxes approved pursuant to condition 7 attached to 19/00682/FUL shall be implemented in accordance with the approved details prior to the first occupation of the buildings hereby permitted and they shall be retained at all times thereafter.

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

- 7) The surface water drainage scheme approved pursuant to condition 8 attached to planning permission 19/00682/FUL shall be implemented prior to the first occupation of the development.

Reason: To prevent increased risk of flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to comply with saved Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016. The drainage details are required before development commences because they go to the heart of the development and could affect the phasing of development.

- 8) The drainage management and maintenance plan approved pursuant to condition 9 attached to planning permission 19/00682/FUL shall be implemented and completed in accordance with the agreed timescales contained within the plan.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the

development policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy January 2016.

- 9) The bin store details approved pursuant to condition 10 attached to planning permission 19/00682/FUL shall be constructed and finished in accordance with the approved details.

Reason: In the interests of visual amenity and ensure compliance with policy CS19 in the Local Plan Core Strategy.

- 10) The full fibre broadband infrastructure approved subject to condition 11 attached to planning permission 19/00682/FUL shall be installed prior to occupation and made available for use immediately on occupation of any dwelling in accordance with the approved details.

Reason: To ensure that every dwelling has a full fibre broadband connection in accordance with paragraph 112 of the National Planning Policy Framework.

- 11) No apartment shall be occupied unless and until electric vehicle charging points at a rate of 1 per 10 parking spaces have been installed and are operational in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The approved infrastructure shall be permanently retained thereafter.

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 within their new home welcome pack/travel planning advice."

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.

- 12) The boundary treatment details approved pursuant to condition 13 attached to planning permission 19/00682/FUL shall be erected prior to the first occupation of the buildings hereby permitted.

Reason: In the interests of visual and residential amenity and to comply with CS19 in the Knowsley Local Plan, Core Strategy.

- 13) Prior to the construction of the pedestrian links from the application site to the Whiston Greenway / Cycleway full construction details of the links and pedestrian gates shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian links and gates shall be constructed in accordance with the approved details, and any gates retained thereafter.

Reason: - In the interest of visual amenity and to ensure no damage is caused to the adjacent greenspace and to comply with Policy CS19 in the Knowsley Local Plan Core Strategy.

- 14) The development hereby permitted shall be undertaken only in accordance with the Reasonable Avoidance Measures (RAMS) approved pursuant to Condition 15 attached to planning permission 19/00682/FUL.

Reason: In the interests of protecting priority species and to ensure compliance with Policy CS21 in the Knowsley Local Plan Core Strategy.

- 15) The design and layout of the site access shall be implemented in accordance with the scheme approved pursuant to condition 16 attached to planning permission 19/00682/FUL. The access shall be made available prior to the first occupation of the development.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

- 16) Notwithstanding the details submitted prior to the first occupation of the development a scheme for the provision of cycle and motorcycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority. This should include design, materials and colour finishes. The cycle/motor cycle parking shall be implemented in accordance with the approved scheme before any part of the development is brought into use and shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles; motorcycle bays also require a secure anchor point.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

- 17) The car park management plan approved pursuant to condition 18 attached to planning permission 19/00682/FUL shall be in operation at all times that the development hereby permitted is in use.

Reason : To ensure a satisfactory regime of car parking management to prevent car parking on the highway. In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016

- 18) Prior to first occupation of the development details of a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of how measures to promote and encourage alternative modes of transport to the single-occupancy car would be communicated to new residents. For the avoidance of doubt, the Travel Plan shall include, but not be limited to, the following:

a) Production and distribution of an information pack for residents detailing travel.

- b) options and information on all modes of transport.
- c) Information on existing transport policies, services and facilities, travel behaviour and attitudes.
- d) Access for all modes of transport.
- e) Advice on appropriate measures and actions to reduce car dependency and encourage sustainable travel.

The approved Travel Plan shall be issued to new residents on initial occupation of each dwelling.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable, having regard to Policies T6 and T9 of the Knowsley Replacement Unitary Development Plan,

- 19) The development shall be implemented only in complete accordance with the details contained within the submitted 'Supporting Statement - Scheme for the Provision of Affordable Housing (received 05/05/2020). For the avoidance of doubt, the development shall comprise 100% affordable housing, meeting the definition of affordable housing for rent' set out in Annex 2 of the National Planning Policy Framework.

Reason: To ensure the development is in full compliance with Policy CS15 in the Knowsley Local Plan Core Strategy and the National Planning Policy Framework.

- 20) No external lighting shall be installed /erected until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt, the scheme shall include drawings of the lighting and lighting columns, a site layout indicating positions of the lighting, isolux and luminosity details and manufactures specifications.

The lighting shall be installed only in accordance with the approved scheme.

Reason: In the interests of residential amenity and security and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and save Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07/02/2023	3347 23.02.02	-	MATERIALS SCHEDULE
24/02/2023	226 REV 1	-	BLOCK B ELEVATIONS 01
24/02/2023	227 REV 1	-	BLOCK B ELEVATIONS 02
24/02/2023	213 REV 1	-	BLOCK A ELEVATIONS
24/02/2023	214 REV 1	-	BLOCK A ELEVATIONS
24/02/2023	100 REV 2	-	LOCATIONS PLAN
17/04/2020	105	26	SITE LAYOUT

09/01/2020	101	1	LEVELS
28/02/2020	-	-	ARB IMPACT ASSESSMENT
28/02/2020	-	-	ARB METHOD STATEMENT
07/04/2020	BC-BTP-00-DDR-A-3347_109	7	BOUNDARY TREATMENT PLAN
09/01/2020	BC-BTP-00-SEDR-A3347_106.4	-	EXISTING AND PROPOSED SECTION LEVELS
21/05/2020	BC-BTP-01-ZZDR-A-3347_112	E	BLOCK A GA FLOOR PLANS
21/05/2020	BC-BTP-02-ZZDR-A-3347_113.	F	BLOCK B GA FLOOR PLANS

Signed Case Officer¹:

Mark Quinn

Signed Authorising Officer²:

K Foster

Date:

24 April 2023

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

Informatives

- 1 Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds.
- 2 It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This grant of planning permission does not negate the need for the submission and approval of highway engineering details for inclusion in an agreement under s38 and s278 of the Highways Act 1980 (for roads proposed for adoption and off site highway works respectively). The applicant is advised to contact Austin McGowan, t: 0151 443 2234, email: Austin.McGowan@knowsley.gov.uk to discuss the matter further.
- 3 A Licence shall be obtained from Knowsley Metropolitan Borough Council for the works to the Greenway (pedestrian links) that fall outside of the planning application sit boundary. In this regard please contact Philip Hurst on 0151-443- 2482. philip.hurst@knowsley.gov.uk

If any access is required to the Public Open Space permission would be required in advance from Knowsley Metropolitan Borough Council. Public access to the adjacent open space shall be retained at all times during the development.
- 4 Access to the bin stores shall be level to allow easy manoeuvring of the bins by the waste operatives.
- 5 See consultation response from United Utilities (ATTACHED TO 19/00682/FUL)
- 6 See consultation response from Merseyside Fire Authority (ATTACHED TO 19/00682/FUL)