

Regeneration and Economic Development Department

APPLICATION NO: 22/00059/FUL **APPLICANT:** Mr Ijaz Akass

WARD AFFECTED: Halewood North

DEVELOPMENT: ERECTION OF ONE BUNGALOW

LOCATION OF SITE: Ash Lea, Netherley Road, Tarbock Green, L35 1QQ

KNOWSLEY LOCAL PLAN ALLOCATION –

Coal Consultation Zone - Coal - Low Risk - Standing Advice Area

Green Belt - Tarbock

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS5 - Green Belt
CS19 - Design Quality and Accessibility in New Development
CS7 - Transport Networks

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

ENV5 - Contaminated Land

National Planning Policy Framework

TECHNICAL CONSULTATIONS:

Tarbock Parish Council - No comments received
Highway Authority - No objections subject to conditions
United Utilities Water Ltd - No objections in principle
Merseyside Fire and Rescue Authority - No objections
Environmental Health - No objections.

NEIGHBOUR NOTIFICATION:

This application was publicised by letters sent to 6 neighbours and advertised by the display of a site notice. No representations have been received.

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The application site is a former stable block off Netherley Road, Tarbock, within the Knowsley Green Belt. The site is, therefore, classed as previously developed land. The walls of the stables are still standing. However, the roof of the building is missing following fire damage several years ago.

The new dwelling is proposed to be sited in a similar location to the existing stables although the proposed it would be sited several metres in from the northern and eastern site boundaries to ensure the existing hedgerows can be retained and a more useable private amenity space be provided.

The new dwelling would be accessed along the existing access road and then via a new access road running to the south of Netherley Road and exiting Netherley Road approximately 65m to the east of the existing access. The existing access point would still be retained as a pedestrian access and for a bin pick up point.

POLICY CONSIDERATIONS

The site is located within the Knowsley Green Belt and comprises a former stable block which had been fire damaged and an access track which provided vehicular and pedestrian access to the stable block.

Paragraph 149 in the NPPF sets out the exceptions where new buildings could be acceptable in the Green Belt.

Paragraph g) states :-

“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

The proposed dwelling would have the same footprint as the stable block and the ridge height of the dwelling would be approximately the same height as the ridge of the former stable block. *(given the roof of the stable block is missing it has not been possible to verify the exact height of the former stable block)*. Therefore, on balance, the proposed dwelling would not have any significant greater impact on the openness of the Green Belt than the existing stable block and would comply with the latest version of the NPPF (2021).

Due to the limited visibility from the existing access onto Netherley Road (adjacent to Ash Lea) a new access road is proposed to run to the south of Netherley Road and the east of the existing site access. This access would be constructed using a permeable surface and would be screened by an existing hedge, which runs along Netherley Road. The new vehicular access would ensure compliance with Local Plan policy CS7.

The impact of the new access road on the openness of the Green Belt would be minimal given its design and the screening afforded by the existing hedge and is deemed to be acceptable.

DESIGN AND LAYOUT

The siting of the dwelling has been changed from the original submission to ensure the existing hedgerow (to the northern and eastern boundaries) can be retained and a useable private garden area achieved.

The dwelling would have a similar design to the former stables with fenestration to complement a modern dwelling. The rooflights proposed have been realigned to improve the appearance.

The facing materials comprise engineering brick below FFL, white rendered walls, timber clad panels and hardwood doors and windows. The materials are acceptable in principle, subject to samples being submitted and approved, which can be secured by condition.

The siting, design and appearance are acceptable and would comply with Local Plan policy CS19.

RESIDENTIAL AMENITY

The interface distance between the proposed dwelling and the rear elevation of Ash Lea (the closest existing dwelling) would be 41.5m, which far exceeds the 22m minimum interface distance set out in the New Residential Development Supplementary Planning Document. The next closest dwelling on Netherley Road is in excess of 43m from the proposed dwelling.

The proposal is, therefore, in compliance with Local Plan policy CS19.

HIGHWAY SAFETY

For the existing site access the visibility splays achievable (taking account of the speed limit of 40mph) are unsatisfactory and are not supported by the Highways' Service. Therefore, a new access road is proposed to the south of Netherley Road and approximately 65m to the east of the existing access.

The new site access would achieve satisfactory visibility splays with only minor pruning of the existing hedge required and is acceptable in highway safety terms and in compliance with Local Plan policy CS7.

Three car parking spaces would be provided to serve the new dwelling, which would be in accordance with the maximum standards as set out in the Ensuring a Choice of Travel SPD.

ENVIRONMENTAL CONSIDERATIONS

A 'watching brief' is recommended during the construction of the development in case any contamination is discovered. The applicant will be advised of this by an Informative attached to the planning permission (decision notice).

Construction should only take place within standard working hours, Monday to Friday and Saturday (am). These construction hours can be secured by planning condition.

TREE & LANDSCAPE CONSIDERATIONS

The existing hedgerow to the southern and western site boundaries would now be protected (following the submission of amended plans) due to the separation distance between the dwelling and the hedge. One small tree would need to be removed but given its size, no tree replacement is deemed to be necessary.

The existing mature hedgerow along Netherley Road would require some minor pruning to achieve the required visibility splays. A scheme for this pruning can be secured by a planning condition.

The submission, approval and implementation of a hard and soft landscaping scheme can also be secured by planning condition.

CONCLUSION AND REASON FOR DECISION

The site is a previously developed (brownfield) site in the Green Belt. The proposed dwelling would have no greater impact on the openness of the green belt than the former stable block.

The design, appearance and siting of the dwelling are all considered to acceptable, and the proposed revised access would be acceptable in terms of highway safety.

The proposal complies with National Planning Policy Framework (2021), Local Plan and saved UDP policies.

RECOMMENDATION:

That Planning Permission be granted subject to the following conditions:-

- 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 samples and / or full specification of materials to be used externally on the dwelling and access road 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. 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 construction 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.

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) No part of the development shall be brought into use until visibility splays of at least 120 metres by 2.4 metres, have been provided at the new proposed eastern site access junction with Netherley Road. The splays shall be provided and maintained clear of obstructions to visibility above the height of 0.6 metres measured from the footway/verge level.

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

- 6) Before any part of the development hereby permitted is occupied the existing access highlighted on 'Existing and Proposed Site Plans (Ref : PL301 Rev D)' shall be restricted to pedestrian and emergency vehicle use only. The existing access will be physically restricted and controlled using removable bollards.

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

- 7) Prior to the construction of the new access road a scheme for the pruning of the existing hedgerow running alongside Netherley Road shall be submitted to and approved in writing by the Local Planning Authority. The hedgerow shall be pruned in accordance with the approved scheme prior to the new vehicular access being brought into use.

Reason : In the interests of highway safety to achieve the required visibility splays and to protect the existing hedgerow to comply with Policies CS7 and CS8 of the Core Strategy, adopted January 2016.

- 8) Notwithstanding the details submitted no part of the development hereby permitted shall be occupied until a scheme for the provision of cycle storage, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the cycle parking must be covered and offer a means to secure the cycles.

The approved scheme shall be implemented before any part of the development is brought into use and shall be retained as such thereafter.

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.

- 9) Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works 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) hard surfaced areas and proposed materials,
- b) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- c) existing hedges / trees to be retained
- d) 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 occupation of the dwelling 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 Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 10) The dwelling hereby permitted shall not be occupied until it has been provided with an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space.

All changepoints 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 park/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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
20/07/2022	PL301 REV D	-	SITE PLAN & LOCATION PLAN
20/07/2022	PL303 REV A	-	AMENDED PROPOSED ELEVATIONS
20/07/2022	PL302 REV A	-	AMENDED FLOOR PLANS AND ROOF PLANS

Informatives

- 1 See attached letter from United Utilities
- 2 Based on the information available to this division 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 4713) 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.

- 3 It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The grant of planning permission will require the developer to enter into an agreement under S278 of the Highways Act 1980 with the Council. The applicant is advised to contact the site development team, email: SiteDevelopment@knowsley.gov.uk to discuss the matter further. The highway fees applicable for a S278 highway agreement are available on the Knowsley Council website here:

<https://www.knowsley.gov.uk/residents/roads/highway-fees-and-charges>

Mark Quinn

25 August 2022

Mark Cawood
25 August 2022