

<u>APPLICATION NO:</u>	22/00259/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	Land Adjacent To No. 2 Roseheath Drive, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF 2 NO. SEMI DETACHED DWELLINGS TOGETHER WITH ASSOCIATED WORKS		

Site Description

The site is a plot of land adjacent to 2 Roseheath Drive and bounded by Roseheath Drive on the south side and Kemsell Way and the rear boundary of 1 Kemsell Walk to the north. There is an electric substation within the site currently, but this is outside the planning application development site (the electric company will have access rights for maintenance and repair purposes). The area consists of mostly terraced housing with some semi-detached dwellings.

Proposal

The proposal is for a pair of semi-detached two bedroomed houses together with vehicular accesses and hardstanding for car parking.

Consultations

Arboricultural Officer - No objections but request that the tree reports are marked as approved documents and that there is a landscape scheme condition.

United Utilities Water Ltd - No objections, comments given.

Merseyside Fire And Rescue Authority - No objections, comments given.

Halewood Town Council - No comments received.

Representations

This application has been publicised by letters sent to 18 neighbours. No representations have been received.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas

ENV2 - Noise and Vibration

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

The application site is situated within a Primarily Residential Area and therefore, the development is considered acceptable in principle.

Visual Amenity Considerations

The proposed pair of houses as amended are acceptable in design and would not be out of character with the area. The external walls of the houses would have the bottom half of brick with the upper half rendered similar to other dwellings in the area. The roofs would be pitched and tiled, and the height of the dwellings has been revised to keep in scale and with similar ridge heights to surrounding properties and would sit well within the street scene. The proposal would not be detrimental to the visual amenities of the occupiers of the neighbouring dwellings or adversely affect outlook and would not be detrimental to the visual amenities of the locality. Due to the configuration of the plot a condition removing permitted development rights for the erection of detached outbuildings would protect the outlook and visual amenity of the house to the rear of the site, 1 Kemsell Walk.

Subject to conditions the application would therefore comply with Policies CS2 and CS19 of the core Strategy and Saved Policy H5 of the UDP.

Highways Considerations

Each house would have an area of hard standing in the front garden area sufficient for the parking of two cars with access off Roseheath Drive. The parking levels would therefore comply with Council standards for two bedroomed properties, whilst the accesses from Roseheath Drive would be similar to other existing properties on the road with front garden parking.

The application therefore complies with Policies CS2, CS7 and CS19 of the core Strategy and Saved Policy H5 of the UDP.

Residential Amenity

The proposal is for the erection of houses in a residential area and raises no residential amenity concerns. The interface distances accord with the minimum such distances set by the Council and as such the proposal raises no privacy or overlooking issues. If the site were developed then it would become housing with private garden area rather than vacant as at present which would make the properties bounding the site more secure which would benefit the residential amenity of those residents.

The proposal would therefore comply with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Conclusion

The proposal would develop a vacant plot of land with housing which would be broadly in character with the area and sit well within the street. Visual and residential amenities would not be unduly affected, and parking would be in line with the Council's standards. The application as revised complies with planning policies CS2, CS7 and CS19 of the Core Strategy and Saved Policy of the UDP together with the NPPF and is therefore 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) The hours of construction, and deliveries, shall only take place 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays or Public Holidays.

Reason: In the interests of protecting the amenity of neighbouring occupiers and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 4) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and full specification of materials to be used externally on the dwellings hereby permitted 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. 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 the National Planning Policy Framework, Policies CS2 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.

- 5) The parking provision shown within the curtilage of each dwelling on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking area shall be hard surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the parking areas shall be permeable or drain to a permeable area within the site and surface water shall not drain onto the public footpath and highway. The parking areas shall be made available for the intended use at all times thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 6) The dwellings hereby permitted shall not be occupied until they have been provided with an outdoor, weatherproof electric vehicle charging point readily accessible from a dedicated parking space.

All charge points shall be:

- a) A minimum of 7KW,
- b) at Least Mode 3 or equivalent,
- 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 107.

- 7) The dwellings hereby permitted shall not be first occupied until a scheme for the provision of a minimum of two cycle parking for each dwelling has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

The approved scheme shall be implemented before first occupation of the dwellings and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for the secure parking of cycles in the interests of sustainable transport and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 8) Notwithstanding any submitted details no dwelling shall be first 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) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks.
- b) Hard surfaced areas and materials.
- c) Planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing of works.
- d) Existing plants / trees to be retained
- e) Detailed regime for the ongoing and longer term maintenance of all soft landscaping.

For the avoidance of doubt the scheme shall include the provision of a minimum of four bat boxes/bricks with details of these including the bat boxes/brick themselves, where they would be located and at what height.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates or the following October - March following occupation in the case of the soft landscaping works if the dwellings are completed in the period April - September.

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 to comply with Policy 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.

- 9) Notwithstanding any details shown on approved drawings details of all means of enclosure (including walls, fences and gates) shall be submitted to and approved in writing by the Local Planning Authority. The means of enclosures indicated on the approved scheme shall be constructed in accordance with that scheme before the dwelling hereby permitted is first occupied.

For the avoidance of doubt the boundary treatments proposed to the front of the houses approved shall take account pedestrian safety of the footpath when cars are reversing out from the parking hard standings, with 2m x 2m

pedestrian visibility plays if necessary, and such will be taken into assessment in the consideration of submitted details.

Reason: In the interests of visual amenity and to comply with Policies CS2 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.

- 10) Prior to any above ground works details of the gas and electricity meter cupboards shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include elevation drawings showing the location of the meter cupboards, and the colour of the doors. The agreed scheme shall be implemented prior to the first occupation of the houses and retained at all times thereafter that the houses are on site.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy and saved Policy H5 of the Knowsley replacement Unitary Development Plan adopted June 2006.

- 11) 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 dwelling being first occupied.

Reason: In the interests of human safety and the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 12) 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 in writing 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 human safety and the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 13) The bins for the easternmost house hereby permitted shall be stored within a bin store details of which have previously been submitted to and agreed in writing by the Local Planning Authority. The agreed bin store shall be installed prior to the first occupation of the dwelling.

Reason: In the interests of visual amenity and to comply with teh NPPF, Policies CS2 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.

- 14) 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 additions to the roof or outbuildings (Schedule 2 Part 1 - Class B, and E), or walls, fences, gates or other means or enclosure (Schedule 2 Part 2 - Class A) shall be erected other than those expressly authorised by this permission or agreed pursuant to Condition 10 of this planning permission.

Reason: To protect the amenity of neighbouring residents, in the interests of visual amenity and in the interests of pedestrian safety and to comply with 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

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
20/10/2022	0001-02a	A	PROPOSED STREET SCENE
20/10/2022	0001-02	—	PROPOSED SITE PLAN WITH PROPOSED SITE LEVELS
20/10/2022	0001-01	—	LOCATION PLAN, PROPOSED ELEVATIONS AND PROPOSED FLOOR PLANS
13/06/2022	S23537-T	-	EXISTING SITE LEVELS
15/06/2022	TRE/LA2RD	-	ARBORICULTURAL METHOD STATEMENT (MULBERRY: TRE/LA2RD - 13 JUNE 2022)
15/06/2022	TRE/LA2RD	-	ARBORICULTURAL IMPLICATIONS ASSESSMENT (MULBERRY: TRE/LA2RD - 13 JUNE 2022)

Signed Case Officer: Lee Osborne

Signed Authorising Officer: Alan Kilroe

Date: 17 November 2022

Informatives

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:-
- 2 United Utilities

3 Merseyside Fire Authority

Appendix 1 – Site Photographs