



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Application No: 21/00956/FUL

Name and address of applicant

Mr Liam Timmins
3, Milton Avenue
Whiston
L35 2XY

Name and address of agent

Date of Receipt: 18 December 2021

Date Valid: 4 January 2022

Address/Location Of Development

**3 Milton Avenue
Whiston
L35 2XY**

Nature And Particulars Of Application

ERECTION OF DWELLING

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **refused** for the carrying out of the development referred to above for the following reasons:-

1. The proposal by reason of the sub-division of an existing residential curtilage and introduction of an additional dwelling would result in a cramped, overdeveloped, irregular and unsatisfactory form of development which would appear out of keeping and incongruous within the street scene and therefore result in demonstrable harm to character of the area. Accordingly, the proposal constitutes poor design and is considered unacceptable in terms of visual amenity.

As such the proposal would be contrary to the National Planning Policy Framework, Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policy WM9 of the Merseyside and Halton Joint Waste Local Plan, the Amended New Residential Development SPD, Ensuring a Choice of Travel SPD and the Design Quality in New Development SPD.

2. The proposed development would result in an unacceptable configuration of fenestration across the front elevation which does not reflect the prevailing style of the surrounding dwellings which would result in a development at odds with nearby dwellings to the detriment of visual amenity.

As such the proposal would be contrary to the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Amended New Residential Development SPD and the Design Quality in New Development SPD.

3. The proposed development would result in a poor quality living environment for future occupiers. As such the proposal would be contrary to the National Planning Policy Framework, Policies CS2, CS17 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, the Amended New Residential Development SPD and the National Planning Policy Framework.
4. The proposed development would have insufficient space on the site to provide adequate parking to serve the new dwelling and would also result in the loss of in-curtilage parking for No. 3 Milton Avenue, resulting in increased on street parking to the detriment of highway and pedestrian safety and both the future and neighbouring occupants.

Accordingly, the proposal would be contrary to the National Planning Policy Framework, Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Ensuring a Choice of Travel SPD, Amended New Residential Development SPD and the Design Quality in New Development SPD.

5. In the absence of tree reports the scheme fails to demonstrate that there would be no damage to or loss of existing trees on / adjacent to the application site. Accordingly, the application fails to comply with the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, the Trees and Development SPD, Amended New Residential Development SPD and the Design Quality in New Development SPD.

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Executive Director - Regeneration and Economic Development

Date: 22 March 2022

IMPORTANT NOTES FOR YOUR ATTENTION:

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.