

Regeneration and Economic Development Department

APPLICATION NO: 21/00398/NMA

APPLICANT: Witherslack Group

WARD AFFECTED: Roby

DEVELOPMENT: NON MATERIAL AMENDMENT TO PLANNING APPLICATION 21/00398/FUL (DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A NEW SECONDARY SCHOOL BUILDING, MULTI USE GAMES AREA (MUGA) AND ASSOCIATED CAR PARKING AND LANDSCAPING) AMENDMENT SOUGHT TO ALLOW CHANGES TO APPROVED PLANS - WINDOW AND DOOR POSITIONS UPDATED TO REFLECT DETAILED DESIGN (WINDOWS IN FRONT OF STRUCTURAL STEELS), PV REMOVED FROM TWO STOREY BLOCK ROOF, ROOF MATERIAL CHANGED TO COMPOSITE SLATES ON TWO STOREY BLOCK ROOF TO MATCH SINGLE STOREY ROOF (P1 TYPE) AND TO CONDITION 21 TO ALLOW ESSENTIAL (INTERNAL) NON-NOISY WORKS TO TAKE PLACE ON SITE OUTSIDE OF THE IDENTIFIED HOURS OF OPERATION

LOCATION OF SITE: Wheathill Riding Centre , Naylors Road, Roby, L27 2YA

KNOWSLEY LOCAL PLAN ALLOCATION –

Green Belt

TPO - Individual Trees - TPO Individual Trees: 05/00012/TPO

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS5 - Green Belt

CS19 - Design Quality and Accessibility in New Development

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

ENV2 - Noise and Vibration

TECHNICAL CONSULTATIONS:

None Required

NEIGHBOUR NOTIFICATION:

NA

ARTICLE 35

NA

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for a non-material amendment following the grant of planning permission 19/00398/FUL allowing the demolition of existing buildings and the erection of a new secondary school building, multi-use games area and associated car parking and landscaping at the former Wheathill Riding School on Naylor's Road. The site neighbours Lakeside Special Needs Primary School and will allow students of that school to continue their education in an environment and area familiar to them.

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Approval is now sought to omit the photovoltaic (PV) panels from the roof and for the use of composite slates on the roof of the two storey element of the development. In addition window and door locations are to be amended, and some windows and doors are to be revised or omitted.

POLICY CONSIDERATIONS

The Local Planning Authority must have regards to whether the proposals would present a material change from the previously approved permission and what material effects such would have. The principal consideration for this application relates to the effect of the revised development on the visual amenity of the area and the openness of the Green Belt. The application complies with the above noted planning policies.

DESIGN, ACCESS AND CRIME PREVENTION

The proposed changes are to the fabric of the building rather than additions to the building or to the site comprising the omission of the PV panels from the roof, the use of composite slate on the two storey part of the development and changes to the openings. The revisions would be acceptable in terms of the overall appearance of the building and would not be detrimental to the visual amenity of the area and have no impact on the openness of the Green Belt above the approved scheme. No crime or anti-social behaviour issues are raised by the proposed revisions. The application therefore complies with Policies CS2 and CS19 of the Local Plan.

HIGHWAYS

No highways issues are raised by the proposed amendments.

RESIDENTIAL AMENITY

The application seeks to revise Condition 21 of the granted planning permission. Condition 21 states the following: -

"No work for the construction of these developments including demolition and deliveries to and from the site shall take place on the site, except between the hours:

08.00 - 18.00 Monday to Friday.

08.00 - 13.00 on Saturdays: and no work should be carried out on Sundays or officially recognised public holidays.

Reason: In the interests of amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006. "

Suggested wording by the applicant is that the first sentence of the condition is amended to "No noisy external work for the construction of these developments...". However the wording of this is too vague, as how is it determined if works are noisy or not, how is it measured? As such it would be hard to enforce if necessary and therefore does not meet the conditions test. Within the covering letter of the submission a list of example works was given relating to the revised wording, and the works listed were internal works including joiner, ceiling installation, flooring and so on. Therefore, it is proposed that the recommended wording be revised to "No external works for the construction...". This would allow internal works to take place outside the specified hours but would protect residential properties (the nearest being over 100m on the opposite side of the road) from excessive noise at unreasonable times whilst being enforceable if necessary. The applicant has agreed to amend the application to reflect this.

No other residential amenity issues are raised by the proposed amendments.

CONCLUSION

As result of the proposal the overall appearance of the site would not be significantly different to that which was previously approved and there would be no further impact on the openness of the Green

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Belt above the approved scheme, whilst the impact on the visual amenity of the area would be negligible. The proposed amendments raise no highways or residential amenity issues. The revised working hours condition would protect the amenities of the locality with no material impact on the scheme approved. The application therefore constitutes a non-material amendment and would comply with relevant planning policies and is consequently recommended for approval.

RECOMMENDATION:

That the application be amended subject to the following conditions:-

- 1) The development hereby permitted shall be amended in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 2) Notwithstanding any description of materials in the application, a sample of the composite slate to be used externally on the two storey element of the building shall be submitted and approved prior to the installation of the tiles on the building. 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 Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 3) No external work for the construction of these developments including demolition and deliveries to and from the site shall take place on the site, except between the hours:

08.00 - 18.00 Monday to Friday.

08.00 - 13.00 on Saturdays: and no work should be carried out on Sundays or officially recognised public holidays.

Reason: In the interests of amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
08/12/2021	20034-C4P-BB-ZZ-DR-A-2101	P12	Elevations as Proposed Primary - School B1 and Secondary School B3
08/12/2021	20034-C4P-B1-ZZ-DR-A-2101	P9	Primary School Elevations as Proposed

Lee Osborne

4 February 2022

Alan Kilroe

8 February 2022

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