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| <b><u>APPLICATION NO:</u></b> | 23/01239/FUL                                                      | <b><u>CASE OFFICER:</u></b> | Reece Black           |
| <b><u>WARD:</u></b>           | Halewood North                                                    | <b><u>PARISH:</u></b>       | Halewood Town Council |
| <b><u>LOCATION:</u></b>       | 9 Blackberry Grove, Halewood, Knowsley                            |                             |                       |
| <b><u>PROPOSAL:</u></b>       | INSTALLATION OF SOLAR PHOTOVOLTAIC SOLAR PANELS TO SIDE ELEVATION |                             |                       |

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### **Site Description**

The application property is located at 9 Blackberry Grove, Halewood, and is located in an area that is allocated as a Primarily Residential Area in the Development Plan. The application property is a detached dwelling and is brick facing on its front, side and rear elevations. It features white UPVC openings and grey, flat, interlocking roof tiles.

The application site is located at the head of a cul-de-sac.

### **Proposal**

The application seeks permission for the installation of 5 solar panels, mounted with brackets to the South/South-East facing side elevation and project off the plane of the gable wall.

The projection of the solar panels and brackets from the gable wall would be 1m at its furthest. They would feature an angle of approximately 56.31 degrees between the plane of the wall and the panels.

The cumulative width of the solar panels would measure 6m and would have a height of 1.65m. They would be sited 2.34m from ground level.

### **Consultations**

Halewood Town Council - No Comments Received.

### **Representations**

This application has been publicised by letters sent to 7 neighbours.

There have been 2 letters of objection, 0 letters of support and 0 letters of comment. The representations are summarised as follows:-

Objections received from No.10 Blackberry Grove based on visual amenity. They stated that it is a very small close and solar panels will detract from the appearance and be very obtrusive.

Objections received from No.23 Woodbridge Avenue based on visual amenity. They raised concerns that the proposal would attract pigeons and even with preventive measures like netting, it may not be sufficient.

## **Planning History**

**APP. NO:** 23/00132/CLD  
**PROPOSAL:** CERTIFICATE OF LAWFUL DEVELOPMENT FOR PROPOSED  
INSTALLATION OF 5 SOLAR PANELS FIXED WITH  
BRACKETS TO SIDE ELEVATION  
**DECISION:** REFUSED  
**DECISION DATE:** 16 May 2023

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

CS2 - Development Principles  
CS19 - Design Quality and Accessibility in New Development  
H5 - Development within Primarily Residential Areas  
H8 - Extensions and Alterations to Residential Properties

## **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**

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions and alterations to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling
- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

Paragraph 155 of the National Planning Policy Framework (NPPF) states that, to help increase the use and supply of renewable and low carbon energy and heat, plans should:

- a) Provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse visual impacts are addressed satisfactorily (including cumulative landscape and visual aspects);
- b) Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development, and
- c) Identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

Saved Policy MW7 in the Replacement Unitary Development Plan states that proposals for new development required in connection with the generation of energy from renewable sources will be encouraged and permitted. Proposals for new infrastructure required to generate renewable energy should seek to avoid causing detrimental impact on:

- Sites of national, international and local importance for nature conservation.
- The appearance or character of the surrounding area.
- The amenity of any nearby residents by reason of noise, odour, disturbance, pollution, visual intrusion or traffic generation.

The explanation of MW7 states that in the case of photovoltaic cells on a building the impacts are likely to be primarily of a visual nature – with the range of designs that is available it should in most cases be possible to ensure that such schemes have an acceptable visual impact.

### Design

The proposed solar panels would be formed with metal, with the mounted brackets featuring a stainless-steel finish and appearing silver in colour and the exterior of the front would be constructed from low-tempered black glass.

It would not be considered to have a jarring design or respond negatively with any existing materials on the dwelling and is deemed to be constructed with materials that are conventional of solar panels. The proposal would not appear incongruous to standard solar panels sited on a domestic residence and would be an appropriate addition to the dwelling.

Overall, the proposed development is deemed to have acceptable design and would

be in accord with Saved Policy H8.

### Residential Amenity

It is important to note that the application site is not situated in a Conservation Area or a Listed Building. The site does hold a prominent position in the cul-de-sac and the proposal would be within the line of sight for highway users coming into the cul-de-sac.

However, it is considered that the proposal would not appear visually obtrusive or have a significant impact to local residential amenities in the area and would be in accord with the relevant policies.

#### 12 Blackberry Grove

No.12 is the adjacent dwelling and is sited to the South/South-East of the application site. No.12 is orientated to face the gable wall of the application property and there is an approximate interface distance of 10.5m from the front elevation of no.12 to the side elevation of the application site.

No.12 benefits from a double garage, attached to the property and this is sited to the front elevation of the dwelling. The proposed development would be constructed to the gable wall of the application site. The proposed solar panels would not be considered, however, to result in any detrimental harm to the visual and residential amenities of no.12 to an unacceptable degree.

At present, the viewpoint from the window first-floor gable faces onto the gable wall of no.9. It is not deemed that the installation of solar panels here would result in a materially significant change to the amenity view observed from this window and would not result in severe obstruction or overshadowing.

In addition, the proposal has submitted a specification for the solar panels as a supporting document. This states that the glass panels would be constructed with anti-reflection coating, which would negate any potential visual harm from glint and glare. Therefore, the proposal is not considered to cause any unacceptable harm to local amenities as a result of reflective glare.

Therefore, it is considered that the proposed development would be in accord with Saved Policy H8 and MW7 and would not cause significant harm to the residential amenity and privacy of the occupants of no.12.

#### 10 Blackberry Grove

No.10 is a detached property in the cul-de-sac and is sited to the South/South-West from the application site.

The proposed solar panels would not be considered, however, to result in any detrimental harm to the visual and residential amenities of no.10 to an unacceptable degree.

No.10 submitted objections to the proposal on the grounds of visual amenities. The representation has been considered; however, the proposal is deemed to be acceptable and would not cause significant harm to the amenities of the area.

The proposed solar panels would not be considered to result in detrimental

overshadowing or be overbearing from the views of no.10 and would not result in any unacceptable impact on residential amenities. The proposal would not be considered to have a materially significant impact from the amenity as existing.

Overall, the proposal it is considered that the proposed development would be in accord with Saved Policy H8 and MW7 and would not cause significant harm to the residential amenity and privacy on the occupants of no.10.

#### 23 Woodbridge Avenue

No.23 is located behind the application site as the rear garden backs onto the side elevation of no.23.

No.23 submitted objections to the proposal on the grounds of visual amenities. The representation stated concerns that the proposal would cause an influx in pigeons roosting. This has been considered; however, it is not deemed a material planning consideration and would therefore, not be a key consideration in the determination of this application. This would be deemed a civil matter.

Overall, it is considered that the proposed development would be in accord with Saved Policy H8 and MW7 and would not cause significant harm to the residential amenity and privacy of the occupants of no.23.

No other local residences are considered to suffer detrimental adverse harm to existing residential amenities as a result of the proposal.

#### Highways

The proposed development is to be sited to the side elevation of the dwelling and would not be considered to impact on any existing parking provisions. Therefore, the proposal be considered acceptable and would not cause any adverse impact on highway safety.

#### Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

#### 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.

## SCHEDULE 1

| Date Received | Ref. No                    | Version | Drawing/Document Title |
|---------------|----------------------------|---------|------------------------|
| 08/06/2023    | b90c/uk/935562/126<br>2220 |         | Location Plan          |
| 08/06/2023    |                            |         | Proposed Elevations    |

**Signed Case Officer<sup>1</sup>:** Reece Black

**Signed Authorising  
Officer<sup>2</sup>:** K Foster

**Date:** 31 July 2023

### Appendix 1 – Site Photographs



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<sup>1</sup> 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

<sup>2</sup> 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



