

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 25/00087/FUL **CASE OFFICER:** Andrew Hunt

WARD: Halewood North **PARISH:** Halewood
Town Council

LOCATION: Dales Bar, Okell Drive, Halewood, Knowsley

PROPOSAL: VARIATION OF CONDITION 2 - (APPROVED PLANS) TO CHANGE
THE APPROVED ELEVATIONS - OF 23/02832/FUL - DEMOLITION
OF EXISTING BUILDING AND ERECTION OF 9NO. DWELLING
HOUSES INCLUDING ASSOCIATED PARKING AND LANDSCAPING

Site Description

The application site is an irregularly rectangular piece of land to the west of Okell Drive. It consists of a former public house building to the south of the site, a car park area and a grassed area to the north. The site is bounded by trees to the northwest, west and south and Okell Drive to the east. There are dwellings on the opposite side of Okell Drive to the north and east with a bus stop directly to the southeast of the site.

Proposal

The proposal is for a variation of condition 2 (approved plans) to application 23/02832/FUL - (demolition of existing building and erection of 9 no Dwellinghouses including associated parking and landscaping). The main changes are the following:

- A reduction in height of the dwellings, (300mm).
- Changes of materials from Multi Grey/ Brown Brick Con Mosso by Weinerberger/ powder coated grey aluminium framed windows, white glazed brick, with grey rainwater goods to Weinerberger Kemply Antique multi brick, buff stone surround, a precast concrete anthracite roof, zinc anthracite cladding, black upvc windows and rear door and black fascia/soffits and rainwater goods.
- Changes to Windows and detailing. These generally retain the existing position of the previous windows and doors with some small changes. The front doors are proposed to be square instead of the semi circle at the top as previously.

Consultations

N/A

Representations

This application has been publicised by letters sent to 17 neighbours. No representations have been received.

Planning History

23/02832/FUL: Demolition of existing building and erection of 9no. dwellinghouses including associated parking and landscaping. Planning permission granted 23/10/2024.

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

CS19 - Design Quality and Accessibility in New Development

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

N/A

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

The only changes relate to the design of the building, namely the following:

- A reduction in height of the dwellings. (Around 300mm).
- Changes to materials.
- Changes to Windows and detailing.

Design

Policy CS19 in the Core Strategy requires new developments to respond to and integrate positive characteristics of immediate surroundings, including local materials, scale, mass, form, layout, alignment and density of the existing built environment.

In relation to the changes, there would be a reduction in height of the buildings by 300mm. This change would bring the dwelling height closer to those properties on the opposite side of Okell Drive (which are of a typical two storey height). The reduction in height is considered acceptable.

In relation to materials, Previously there was Multi Grey/ Brown Brick Con Mosso by Weinerberger/ powder coated grey aluminium framed windows, white glazed brick, with grey rainwater goods.

It is proposed that there would be Weinerberger Kemply Antique multi brick, buff stone surround, a precast concrete anthracite roof, zinc anthracite cladding, black upvc windows and rear door and black fascia/soffits and rainwater goods. The materials proposed are considered acceptable and are closer in colour to the surrounding properties on the opposite side of Okell Drive.

In relation to the changes to the windows and doors, these generally retain the existing position of the previous windows and doors with some small changes. The front doors are proposed to be square instead of the semi circle at the top as previously. The other changes (minor alterations to the windows) are of lesser significance and do not materially affect the appearance of the dwellings.

Overall, the proposed changes would be acceptable in design terms and would comply with Core Strategy Policies CS2 and CS19.

Other Matters

The section 106 from the previous application has been paid.

Conclusion

The proposal would be acceptable in relation to design. The application complies with local planning policies and is 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 the granted of the original permission (23/10/24).

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

- a. Proposed Plans and Elevations Block A – Rev A - (Received 10/02/2025)
- b. Proposed Plans and Elevations Block B – Rev A - (Received 10/02/2025)
- c. Proposed Plans and Elevations Block C – Rev A - (Received 10/02/2025)
- d. Materials Schedule - (Received 10/02/2025)
- e. Proposed Streetscene – Rev P03 - (Received 31/07/2024)
- f. Proposed Site Plan - Rev P07 - (Received 31/07/2024)
- g. Proposed Block Plan – Rev P05 - (Received 31/07/2024)
- h. Location Plan – Rev P04 - (Received 31/07/2024)
- i. Landscape Plan – 01 – Rev F - (Received 19/04/2024)
- j. Arboricultural Survey - (Received 19/04/2024)
- k. Refuse Store Plan and Elevations – Rev P02 - (Received 12/12/2023)

Reason: For the avoidance of doubt.

Pre Commencement

- 3) Highway Improvement

No development (except demolition) shall take place until a scheme for the design and layout of highway improvement works has been submitted to and approved in writing by the Council as Local Planning Authority. For the avoidance of doubt, the works shall include but not be limited to:

- Site access junction and footway connecting to the existing footway to the south of the site access,
- Pedestrian crossing over Okell Drive with tactile paving and dropped kerbs,
- Resurfacing of the existing footway between the site access and the bus stop.

The approved scheme shall be implemented before the development is brought into use.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with Policy CS19 of the Core Strategy, adopted January 2016

- 4) Construction Environmental Management Plan

Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall include but not be limited to the following:

- a. Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles [for each phase as necessary].
- b. Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a trained Banksman (RoSPA or equivalent)
- c. Construction staff parking arrangements
- d. Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
- e. Methods for dust control and suppression.
- f. A programme of works including phasing, if applicable.
- g. Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.
- h. The location in a pedestrianised area subject to vehicular access restrictions from 10am - 5pm.
- i. Details of relevant pest control measures that will be in place, or will be put in place, should evidence of pests become apparent during the construction works.
- j. Woodland protection measures to minimise run-off, dust and pollution impacts;
- k. Reasonable Avoidance Measures for protection of great crested newt and common amphibians, in line with paragraphs 4.1.13 and 4.1.14 of the PEA;
- l. Breeding birds- no tree or scrub removal between 1 March and 31 August inclusive, unless informed by a suitably qualified ecologist, in line with paragraphs 4.1.18 of the PEA;
- m. Artificial lighting to be aimed away from woodland areas for the protection of bats, in line with paragraph 4.1.24 of the PEA;
- n. Reasonable Avoidance Measures for protection of hedgehog (Protected Species (NERC, 2006)) and badger, in line with paragraphs 4.1.26 and 4.1.27 of the PEA; and
- o. Removal or treatment of cotoneaster (invasive species), by a competent contractor, in line with paragraph 4.1.28 of the PEA.

All site works shall then be carried out in accordance with the approved Plan unless otherwise agreed in writing beforehand with the Local Planning Authority

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

5) Lighting Scheme

Prior to commencement of development (except demolition), a lighting scheme to provide lighting for the private road whilst preventing light spill onto nearby habitats shall be submitted to and be approved by, the local planning authority. For the

avoidance of doubt, such a scheme shall be accompanied by a maintenance strategy to ensure its future operation.

All works shall be carried out in accordance with the approved details and retained as such hereafter.

Reason: In order to appropriate lighting whilst protecting wildlife (including bats) from excessive light.

6) Delineation Scheme

Notwithstanding the submitted plans no part of the development hereby permitted shall commenced until a scheme showing details of the method of delineation between the edge of the adopted highway and the proposed private road has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the safety and amenity of the residents and users of the proposed highway and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

7) Contamination

No development (except demolition) shall take place until an assessment of the risks posed by any contamination has been submitted to, and approved in writing by, the Local Planning Authority.

Prior to any further ground investigations taking place, the scope of works for these investigations must be agreed, in writing, with the local planning authority.

The assessment must also be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (were relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and
 - o service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments.

B. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented, and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

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 development (or relevant phase of development) being brought into use.

E. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

F. Importation of Soil/Material

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 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 order to prevent harm to human health from contamination.

Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

Pre occupation

9) Biodiversity Enhancement Management Plan

Prior to occupation of any dwelling, details of a biodiversity enhancement management plan shall have been submitted to and been approved by the local planning authority. This shall be implemented before the occupation of any dwelling and retained hereafter in accordance with the agreed plan.

Reason: In order to improve biodiversity within the site.

10) Bird and Bat Boxes

Prior to the occupation of any dwellings, details of bird and bat boxes (including their number, location and detailed specification) shall have been submitted to and have been approved by, the local planning authority. All works shall be carried out in accordance with the approved details and retained as such hereafter.

Reason: In order to secure bird and bat boxes on the site to improve biodiversity.

11) Highways Implementation

The development shall not be brought into use until the areas indicated on Site Plan P23036-FCH-XX-XX-DR-A-1210 Rev P05 be set aside for car parking, servicing, vehicular manoeuvring, and cycle storage) have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

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

Ongoing

12) Construction Hours

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: In order to avoid harm to amenity.

13) Gates

No gates or other obstruction shall be placed across the vehicular access.

Reason: To permit vehicles to pull clear of the carriageway when entering the site, in the interests of highway and pedestrian safety.

14) Broadband

No dwelling hereby approved shall be occupied until a full fibre broadband connection has been installed and made available for use.

Reason: To support economic growth in accordance with NPPF Para 119.

Signed Case Officer¹:

Andrew Hunt

Signed Authorising
Officer²:

Jo Sheridan

Date:

19/03/2025

1 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

2 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

Informatives

1) N/A