

REGENERATION AND ECONOMIC DEVELOPMENT DEPARTMENT

APPLICATION NO: 21/00900/FUL

APPLICANT: Mr Tony Tasker

WARD AFFECTED: Roby

DEVELOPMENT: ERECTION OF TWO STOREY FRONT AND SIDE EXTENSION TO DAY NURSERY INCLUDING RELOCATION OF CAR PARKING

LOCATION OF SITE: 2A Cassino Road, Huyton, Knowsley, L36 7UX

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Area

RELEVANT POLICIES

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

ARTICLE 35

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.

PLANNING HISTORY

A previous application was approved for a 1st floor change of use and ground floor extension (05/00547/FUL - approved 19/08/2005) and for variation of condition 4 for the change of use of first floor living accommodation to playroom and extension to existing ground floor nursery (09/00451/FUL – approved 16/12/2009).

TECHNICAL CONSULTATIONS:

Arboricultural Officer – No Objection

Cadent Gas – No objection subject to an informative.

Environmental Health – No objection.

Highways – No Objection to conditions in relation to a construction management plan and a limitation on the number of children at the premises.

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NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 9 neighbours. One representation and one Objection has been received consisting of the following main points:

Objection

- Concerns in relation to garden, privacy and light as it would dominate and change the rear of my property.
- Height is a concern due to reduction of natural light to rear of garden which is mature with trees 30+ years.
- 2 Windows will be included will there be opaque glass or screening?
- Impact of construction work on trees and debris.
- Impact of security lighting, potential privacy issue dependent on position and style.

Representation

- Would the entrance to the newly placed carpark infringe on traffic flow on Cassino Road?
- Cassino Road is highly congested and quite dangerous with a number of 'near misses' and also occasional incidents. We are very concerned that the increase in capacity at the Nursery would mean an increase in traffic on an already dangerous and unsupervised road. The start of the school day and end of the school day are particularly congested.
- We are concerned about the construction traffic which would be on Cassino Road during the construction of the proposed extension. How would this be managed with the school gates being on Cassino Road?
- Can the Council assess Cassino Road as a matter of urgency with regard to traffic and consider road calming measures or regular monitoring by PCSO? The permit, speed restrictions and small bump scheme has been ineffective so far.

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for the erection of a two storey front and side extension to day nursery including relocation of car parking*.

**Amendments have been made to the scheme; however, these changes relate to the design and appearance of the building and the changes do not materially affect neighbours. Therefore, no re-consultation with neighbours was required.*

POLICY CONSIDERATIONS

The application site is situated within a Primarily Residential Area. The proposed development is for an extension to an existing use and therefore would be acceptable in principle.

The application complies with policies CS2, CS9 and CS19 of the Knowsley Core strategy and policy H5 of the Unitary Development Plan.

DESIGN, ACCESS AND CRIME PREVENTION

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The extension would be located within a residential area. However, there is an established single storey community building at the site. The current design of the building is irregular with an ad hoc appearance with part of the building a typical residential property and part of the building in the style of a commercial building. The design of the current proposed extension has been changed to resemble a children's play building rather than a residential dwelling. It is considered that this is a more appropriate visual form and reflects the use of the building better. A roof terrace has also been added at first floor level which means the middle of the building will now be similar height to the current ends of the building, creating a more attractive and cohesive form.

Therefore, there would be no harm to the street scene from the proposal. The application raises no crime or anti-social behaviour issues.

AMENITY

In relation to neighbouring properties.

In relation to 2, there would be no harm to amenity as the extension would be located on the opposite side of the building and away from 2.

In relation to 31, the extension would be approximately 25 metres away. This exceeds the distances between dwellings specified in the New Residential Development SPD (22 metres). Therefore, there would be no harm to amenity from loss of light/outlook due to the distance between the buildings. Due to the orientation of the extension to the north, there would only be very limited loss of sunlight in summer evenings. There would be two first floor side windows on the side of the extension facing towards the south east, however it is proposed that these be obscure glazed and non-opening above 1.7 metres. This would ensure that the privacy of 31 is maintained.

In relation to 29, the extension would be approximately 25 metres away. This exceeds the distances between dwellings specified in the New Residential Development SPD (22 metres). Therefore, there would be no harm to amenity from loss of light/outlook due to the distance between the buildings. Due to the orientation of the extension to the north, there would only be very limited loss of sunlight in summer evenings. There would be two first floor side windows on the side of the extension facing towards the south east, however it is proposed that these be obscure glazed and non-opening above 1.7 metres. This would ensure that the privacy of 29 is maintained.

In relation to noise, disturbance etc, it is considered that there would be no harm to amenity as the extension will not lead to material impacts above the existing use. This is supported by the views of the council's Environmental Health team who have no objection to the development. A construction management plan is proposed to reduce construction impacts on residential amenity.

HIGHWAY SAFETY

NPPF Para 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

In relation to highway safety, the parking for the site would remain relatively unchanged. A construction management plan is required to ensure construction impacts are minimised due to the presence of a school nearby. This will include measures to limit the number of vehicles at peak school times. This will be secured via a condition. A condition is also proposed to limit the number of children at the premises to ensure this is not increased. Overall, the proposal would not result in unacceptable impacts on highway safety.

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There would be sufficient parking spaces to serve the site. Overall, the application complies with Core Strategy Policy CS7.

TREES

In relation to trees, the proposal would not lead to harm in relation to trees. This is supported by the council's arboricultural officer who has no objection to the proposal.

OTHER CONSIDERATIONS

In relation to security lighting, there is no lighting proposed as part of the current scheme.

CONCLUSION

The proposal is acceptable in design and would not harm the amenity of neighbouring premises, trees or highway safety. 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 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) Construction Management Plan

Prior to commencement of development a Construction 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 Banksman.

- c. Construction staff parking arrangements
- d. Control of transfer of mud out of the site - details of wheel washing facilities

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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 timing of the proposed works (this should be scheduled to minimise traffic movement during peak school times).

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.

4) No Of Children

The number of children at the premises shall not exceed 60 at any one time.

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

5) Obscure Glazing

The first floor side windows facing south east (towards 29 and 31 Stanley Road) shall be:

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed

Reason: In order to protect the privacy of neighbours.

Informative

1) Cadent Gas

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any work s, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

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SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
25/11/2022	1622 SK07	-	Proposed Plans and Elevations
20/12/2021	TRE/2ACR	-	Arboricultural Method Statement
20/12/2021	TRE/2ACR	-	Arboricultural Implications Statement
15/11/2021	J1217/TS	-	Transport Statement

Andrew Hunt
30 November 2022

Alan Kilroe
7 December 2022

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