

APPLICATION NO: 24/00671/FUL **CASE OFFICER:** Maxine Wishart

WARD: Whiston & Cronton **PARISH:** Whiston Town Council

LOCATION: 35 Greenes Road, Whiston, Knowsley

PROPOSAL: SUBDIVISION OF EXISTING 4 BED DWELLING TO FORM 2 NO. 2 BED DWELLINGS AND ASSOCIATED WORKS

LOCAL PLAN POLICIES MAP

Primarily Residential Area

Site Description

The application site relates to an existing end terraced two-storey dwelling located at 35 Greenes Road, Whiston. The terrace comprising a row of three dwellings comprising 35 – 39 Greenes Road.

The property has been severed from the adjacent site which has recently been developed for the erection of 22 apartments with associated works (21/00783/FUL), the property was included in the red line boundary of the aforementioned development. The adjacent site occupies land to the south west of the junction of Greene's Road and Paradise Lane, Whiston.

Immediately to the south of the application property lies a car park and cycle store associated with the apartment development. Further to the south at the rear of the property sits an apartment block (Block B) located on Tushingham Close. Further to the south is Stadt Moers Park and a public car park

Residential properties are located further along Greenes Road to the west and opposite on Montgomery Close. Immediately beyond the apartment on the adjacent site lies Whiston Village Local Centre.

Proposal

The application seeks permission to subdivide an existing single 4 bedroom dwelling into 2 no. 2 bed dwellings with associated parking and amenity space. The proposal would see internal and external alterations to the building. Accommodation would be set over two floors and comprise the following:-

Left side dwelling

Ground floor: Sitting area; family room leading to open plan kitchen and dining area.

First Floor: 2 no. bedrooms and bathroom.

Right side dwelling

Ground Floor: Open plan family lounge and dining area together with kitchen

First Floor:

External alteration would include:-

Front elevation – New ground floor window to serve lounge; new entrance door

Side elevation - Existing garage door bricked up

Rear elevation – Alterations to a ground floor window to insert a smaller window with bricking up.

Consultations

Whiston Town Council - No Comments Receive.

Highway Authority - No objection in principle subject to conditions relating to cycle parking and car parking provision.

Environmental Sustainability Service KMBC - The proposal is exempt from the BNG condition under the de-minimis exemption.

Environmental Health - No objection in principle subject to conditions.

Representations

This application has been publicised by letters sent to 23 neighbours. It has also been advertised by Site Notice. No representations have been received.

Planning History

APP. NO: 74/04801/HIST (K/AP/4794)
PROPOSAL: EXTENSION TO DINING ROOM
DECISION: Granted
DECISION DATE: 29 February 1980

APP. NO: 74/06871/HIST (K/APP/6611)
PROPOSAL: ERECTION OF BEDROOM BATHROOM DINING ROOM AND UTILITY EXTENSION
DECISION: Granted
DECISION DATE: 10 June 1982

APP. NO: 74/12841/HIST (K/APP/12711)
PROPOSAL: ERECTION OF TWO STOREY EXTENSION TO PROVIDE KITCHEN AND DINING ROOM TO GROUND FLOOR AND BEDROOM EXTENSION TO FIRST FLOOR
DECISION: Granted
DECISION DATE: 28 September 1990

APP. NO: 74/13342/HIST (K/APP/13282)
PROPOSAL: ERECTION OF UTILITY ROOM AND WC TO REAR OF DWELLING
DECISION: Granted
DECISION DATE: 10 May 1991

Adjacent site from which No 35 Greenes Road has been severed:

APP. NO: 21/00783/FUL
PROPOSAL: ERECTION OF 22 NO. APARTMENTS AND ASSOCIATED PARKING AND LANDSCAPING
DECISION: Granted
DECISION DATE: 21 July 2022

APP. NO: 21/00783/NMA
PROPOSAL: NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00783/FUL (ERECTION OF 22 NO. APARTMENTS AND ASSOCIATED PARKING AND LANDSCAPING) - AMENDMENT SOUGHT TO ALLOW FOR CHANGES TO BIN / CYCLE STORAGE AND CHANGES TO WINDOWS
DECISION: Granted
DECISION DATE: 19 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.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS7 - Transport Networks
CS8 - Green Infrastructure
CS17 - Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development

CS24 - Managing Flood Risk
CS26 - Waste Management

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

H5 - Development within Primarily Residential Areas
H8 - Extensions and Alterations to Residential Properties
T7 - New Development and Walking & Cycling Routes
T10 - Access for the Less Mobile
DQ2 - Security in the Built Environment
ENV2 - Noise and Vibration
ENV5 - Contaminated Land

The Joint Merseyside and Halton Waste Local Plan 2013

WM9 - Sustainable Waste Management Design and Layout of New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
New Residential Development SPD (2018)

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 main considerations for this application are:

- Principle of Development
- Layout and Design
- Residential Amenity
- Highways Considerations
- Environmental Considerations
- Biodiversity
- Coal Mining Legacy
- Drainage and Flood Risk
- Contaminated Land

Principle of Development

Core Strategy Policy CS1 identifies that one of the priorities is to rebalance the Borough's housing stock by providing a wide range of new market sector and affordable housing.

On 12 December 2024 the Government published the eighth version of the National Planning Policy Framework (NPPF) along with changes to the revised

“standard method” for local housing need which came into force with immediate effect. The changes to the NPPF and local housing need figures are a direct response to the Government’s commitment to build 1.5 million new homes in England before the end of the current Parliament in 2029. The Government’s objective of significantly boosting the supply of homes is set out at paragraph 61 of the NPPF and consequently this should be given significant weight in favour of developments when the Council decides applications for new housing.

Housing Mix

Policy CS17 seeks to ensure that there is a mix of dwelling sizes across the borough. Criterion 3 of this policy requires that smaller development should include a mix of housing sizes that complement the overall mix available in the area. The proposed development would see a 4-bedroom dwelling converted into two separate 2-bedroom dwellings. The adjacent development comprises a mix of 22 no. 1 and 2-bedroom apartments. The proposal is considered to be an acceptable housing size appropriate to its location.

The site is located within a Primarily Residential Aea. The proposed development would make a contribution of meeting the Council’s housing delivery targets and is located within a sustainable location. The proposed development is acceptable in principle and is considered to accord with Policies CS1, CS, CS17 and CS3.

Layout and Design

The layout and design of the proposal would fall to be considered having regard to UDP Policy DQ2 and Core Strategy Policies CS2 and CS19. All of these policies share the same aim – to ensure that an acceptable level of quality in the development is achieved.

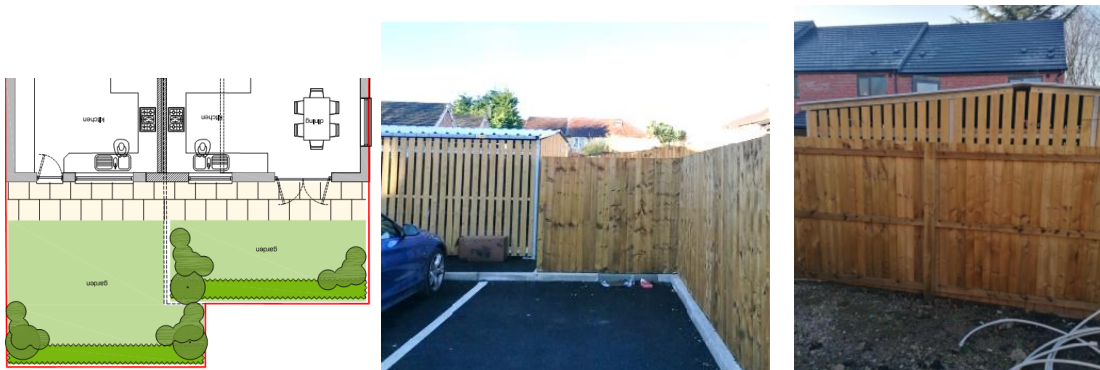
Amenity Space

Policy CS19 requires that new development maintains a good standard of amenity for all existing and future occupants. In addition, paragraph 3.45 of the New Residential SPD states that whatever the size or location of a dwelling there will always be a requirement for some form of private amenity space. Appendix 4 of the SPD sets out expectations for private amenity space, however, it is silent on the level of space expected other than for flats for which it is indicated that a minimum of 20m² (not including bin stores and clothes drying areas) should be provided. Though, it is commonly accepted that for a two-bedroom dwelling 50m² with a depth of 10m is generally an acceptable space to serve this size of dwelling.

The existing property has an area of amenity space at the rear which is hard surfaced and enclosed by timber fencing along the common boundaries with the adjacent residential development.



That space would be divided between the two resulting plots; the property to the left having a rear garden measuring approx. 23 sqm at 3.75 m in depth; the other measuring approx. 29.95 sq m, measuring 5.70 m deep. The amenity space would be accessed from the rear of the dwellings. Immediately to the rear there is an existing cycle store associated with the adjoining development which extends above the timber fence.



It is acknowledged that the amenity space would fall below typical standards and the outlook from the ground floor rooms would be compromised by the depth of garden coupled with the siting of a cycle store on the adjacent site being located behind one of the plots. Furthermore, each of the dwellings would be required to provide external storage for 2 no. cycles, discussed further in the highway section of this report which would compete further for space at the rear.

However, having regard to the level of amenity space currently associated with the existing dwelling; the provision of shared amenity space on the adjacent site from which this site has now been severed; together with the proximity of Stadt Moers Park (approx. 128m at a 2 minute walk), it is considered that the benefit of providing an additional dwelling would outweigh any concerns over the level of amenity space. In addition, there would be an element of 'buyer beware', in that any person interested in purchasing / occupying one of these plots would be aware of the situation and could assess their needs before occupying the dwelling. The issue of the amenity space would remain, however, on balance, given the above factors, it is not considered that a refusal could be substantiated on this basis.

Permitted Development Rights

Given the size of the space around the proposed dwellings it is considered that it

would be necessary to withdraw future occupier's right to extend under Permitted Development and this could be secured by condition if planning permission is granted.

Parking

Each of the proposed dwellings would be served by one parking spaces located at the front of the dwelling with direct access off Greenes Road. The parking provision is discussed in detail in the Highways section below.

Waste Management

An access gate is located along the side boundary of the application site leading onto a footpath within the adjacent development. The footpath is not within the red edge of the application site and it is not clear whether the applicant has right of access across the land to the side in order to facilitate unrestricted access to the rear of the plot. Furthermore, a fence would be erected between the two plots at the rear, which would result in there being no access to the rear for the right hand side dwelling, other than through the dwelling.

It is therefore considered prudent to require further details of bin storage and waste management proposals for the site which can be secured by a suitable condition if planning permission is granted.

Design

The proposal would involve limited alterations to the external elevations of the property to enable the conversion into two dwellings. The design would be acceptable and would not have a detrimental impact on visual amenity.

Crime and Security

Policy DQ2 of the UDP seeks to ensure that new development is designed so as to provide good levels of personal and property security. The conversion of the one dwelling into two does not raise any concerns regarding crime and security.

In summary, the proposed development, subject to conditions would on balance be acceptable in terms of layout and design and would comply and would not conflict with Core Strategy Policies CS2 and CS19, Saved UDP Policies H5 and DQ2 together with the New Residential Development SPD.

Residential Amenity

Saved Policy H5 states that new development within the Primary Residential Areas which is for uses appropriate to a residential area will be permitted provided that the development would not have an unacceptable impact on the amenity of adjoining occupiers or adversely affect the character of street scene of the area.

Core Strategy Policies CS19 requires new development to maintain a good standard of amenity for all existing and future occupants by avoiding unacceptable impacts on existing residential and future occupiers.

Approximately 17.8m would be maintained from the rear of the proposed dwellings to the front of the apartments (Block B) on the adjoining development (Ref: 21/00783/FUL) this is an existing situation previously, deemed to be acceptable. The proposal would not see a marked change in the window configuration and rooms served by the windows at the rear to raise any other issues since the previous decision.

There is an existing ground floor gable window which faces directly onto the footpath of the adjacent development. This would be retained as part of the proposed scheme. This is however, an existing situation and the amenity of future residents would be no worse than currently exists. It is not considered therefore that in these circumstances it would be necessary to ensure that the window is removed or that it remains obscure glazed.



The level of amenity space to be provided across the development has been discussed in detail above in the layout section.

Overall, it is considered that the development would provide an acceptable level of amenity for existing residents and proposed residents. The development complies with Saved Policies H5 and H8 of the UDP and Policies CS2 and CS19 of the Core Strategy.

Highways

The site currently has parking available for 2 vehicles and no on-street parking is available to the front of the property due to the presence of waiting restrictions (double yellow lines).

According to the 'Ensuring a Choice of Travel' SPD 2 no. parking spaces would be required for each of the dwellings. One parking space per dwelling is proposed and the area to the front is insufficient to accommodate the maximum standard of 2 no. vehicles. However, the Local Highway Authority is satisfied that given location of the site in a sustainable area with sustainable transport links and other local services and amenities provided in close proximity to the site.

Cycle Parking

No provision has been made for cycle parking and storage on the proposed layout. The Ensuring a Choice of Travel SPD requires that there should be 2 no. allocated spaces and 1 no. communal space. In this instance, it is considered that 2 no. cycle spaces would be acceptable and this could be secured by condition if planning permission is granted.

Accordingly, subject to the above planning condition, it is considered that the proposal would have not have a severe impact upon highway safety and would comply with Paragraph 116 of the NPPF, Policies CS2, CS7 and CS19 of the Core

Strategy, Policy H5 of the Replacement UDP and the Ensuring a Choice of Travel SPD.

Environmental Considerations

The Council's Environmental Health Officers have reviewed the proposed planning application and have no objection in relation to the proposed development. The property is within 50m of an historic landfill, and the houses were built prior to legislation being in place to investigate any potential contaminated issues. Environmental Health Officers therefore request that conditions are imposed if planning permission is granted relating to the reporting of unexpected contamination and the restriction of the importation of soil / material.

Subject to condition, the impact of the proposal in terms of contamination would be acceptable and comply with Policies CS2 and CS19 of the Core Strategy, Saved Policies H5 and ENV5 of the UDP and Paragraph 196 of the NPPF.

Biodiversity

Biodiversity Net Gain (BNG) is a policy approach that ensures new developments leave biodiversity in a better state than before. Developers should deliver a BNG of 10% unless the development is exempt. Although the application is accompanied by a BNG Metric, the Council's Ecologist has advised that the development would be exempt from the BNG condition under the de-minimis exemption.

The application proposes the introduction of soft landscaping across the site which would contribute to biodiversity on the site in accordance with Policies CS2, CS8 and CS19 of the Core Strategy.

Coal Mining Legacy

Principle 4 (i) of the Core strategy seeks, amongst other matters to address any issues of unstable land, resulting from Knowsley's legacy of minerals extraction. The application site falls within a defined Development High Risk Area. Developments in High Risk Areas generally require a Coal Mining Risk Assessment (CMRA). However, in this instance it is considered that, due to the nature of the proposal, it falls within the exemption for developments where building and / or ground works are minimal *Part B - Exempt by nature of development*. Planning Policy Guidance *Planning applications and Coal Mining Risk Assessments* provides examples of where exemptions apply and these include pure 'changes of use' of land or buildings and changes of use of land where no buildings or structures are proposed and groundworks are minimal - such exemptions only apply where there are no significant groundworks or engineering operations (beyond possible surface scraping and installation of loose materials).

The proposed development does not therefore raise any concern regarding the impact on land stability and accords with the NPPF and Policy CS2 of the Core Strategy.

Contaminated Land

The Council's Environmental Health Officer has advised that the property is within 50m of an historic landfill, and the houses were built prior to legislation being in place to investigate any potential contaminated issues. Therefore, in order to ensure a safe development, it is considered prudent to require the reporting of unexpected contamination and that the importation of soil / material to the site be tested for contamination and its suitability. This can be secured by condition (s) if planning permission is granted/

Subject to condition(s), the impact in terms of contamination would be controlled and acceptable, the development would accord with Paragraph 196 of the NPPF, Policy CS2 of the Core Strategy and Saved Policy ENV5 of the UDP.

Drainage and Flood Risk

The submitted plans indicate that hard surfacing would be used to create off-street parking and pathways. However, no specific details have been provided. As such, a planning condition would be attached if planning permission is granted to ensure that permeable surfaces or direct run-off to a permeable surface is secured in order to reduce impacts from surface water.

Suitably conditioned it is considered that the proposal would be acceptable in terms of flood risk and drainage and would comply with Paragraph 181 of the NPPF, Saved Policy H5 of the UDP and Policies CS2, CS19 and CS24 of the Core Strategy.

Conclusion

The principle of the conversion of the property into two- dwellings in a residential area is acceptable. The proposed alterations are of acceptable design. Adequate amenity would be afforded to future occupiers of the properties. The proposal would not result in unacceptable impacts on neighbouring or unacceptable impacts on highway safety; ground conditions, flooding or biodiversity.

As such the proposal complies with relevant criteria of Policies CS2, CS7, CS8 and CS19 of the Core Strategy and Saved Policies H5, H8 and ENV5 of the Replacement UDP together with the Ensuring a Choice of Travel SPD; Design Quality in New Development SPD and the New Residential Development SPD and is recommended for approval subject to conditions.

Recommendation

That planning permission be granted subject to the following conditions:

- 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) The materials to be used on the external surfaces of the development hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) Notwithstanding the details shown on the approved drawings, no part of the development hereby permitted shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) hard surfaced areas including specification of materials, and
- b) planting plans,

For the avoidance of doubt, hard surfaced areas shall be permeable / porous, or provision made to direct run-off water from the hard surface to a permeable or porous area within the curtilage of the dwelling to which it relates.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates.

All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and to enhance the character of the area in the interests of sustainable development and to minimise the risk of surface water flooding, and to comply with the national Planning Policy Framework (2024), Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS8 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the New Residential Development SPD (updated 2018).

- 5) Prior to the occupation of any of the dwellings hereby permitted a boundary fence shall be erected along the dividing boundary at the rear of the dwellings. The fence shall not exceed the height of the existing timber fencing that encloses the rear of the site and shall match that fencing in terms of the materials and type and colour.

Reason. In the interests of residential and visual amenity and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley: Local Plan:Core Strategy, adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 6) Prior to the first occupation of any of the dwellings hereby permitted precise scheme details shall be submitted to and agreed in writing by the Local Planning Authority which shall show the following:

Bin Storage

The scheme shall set out measures for the storage of the requisite number of bins per dwelling and the facilitation of kerb side collection.

Cycle Storage

The scheme shall show the provision of two cycle parking spaces per dwelling. For the avoidance of doubt, cycle parking must be covered and offer a means to secure the cycles.

The bin and cycle stores shall only be sited and constructed in accordance with the agreed details and shall be made available before any dwelling hereby approved is first occupied and retained thereafter at all times that the dwellings are occupied.

Reason: In the interests of visual and residential amenity, to maximise Opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable and to accord with the National Planning Policy Framework (2024), Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 201; Saved Policies H5 and DQ2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006; Policy WM9 of the Joint Waste Local Plan (2013.) and the Ensuring a Choice of Travel SPD (2010).

- 7) The development hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with drawing no 494-1-PLN-005 Rev # and pursuant to condition 4 of this permission. Thereafter those spaces shall be retained for the parking of vehicles only.

Reason: To ensure that adequate on site vehicle parking facilities are provided in the interests of highway safety and amenity and to comply with the National Planning Policy Framework (2024), 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 and the Ensuring a Choice of Travel SPD (2010).

8) **Reporting of Unexpected Contamination**

- A 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.
- B 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with the National Planning Policy Framework (2024), Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

9) **Importation of Soil/Material**

No topsoil 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: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with the National Planning Policy Framework (2024), Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2016 (or any Order revoking and re-enacting that Order with or without modification):

- (ii) no extensions shall be carried out to the dwelling(s)
- (iv) no buildings or other structures shall be erected within the curtilage of the dwelling(s),

other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason. In the interests of residential amenity and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley: Local Plan:Core Strategy, adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
16/12/2024	494-1-PLN-001	-	LOCATION PLAN
16/12/2024	494-1-PLN-002	-	EXISTING SITE PLAN
16/12/2024	494-1-PLN-006	-	PROPOSED ELEVATIONS
16/12/2024	494-1-PLN-005	-	PROPOSED FLOOR PLANS

Signed Case Officer¹: **M Wishart**

Signed Authorising Officer²: **K Foster**

Date: **18 February 2025**

Informatives

1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;

2 The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings;

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

geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026

Contd...

Appendix 1 – Site Photographs



