

<u>APPLICATION NO:</u>	16/00575/NMA	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	WHISTON	<u>PARISH:</u>	Whiston & Cronton
<u>LOCATION:</u>	Land To Rear Of 24 Kingsnorth To 50 Martock & 44 Lyneham To 38 Selborne And To The East Of Land At Berrywood Drive And Manorwood Drive, Whiston, Knowsley		
<u>PROPOSAL:</u>	NON-MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 16/00575/FUL (ERECTION OF 51 NO. DWELLINGS TOGETHER WITH CONSTRUCTION OF NEW ROAD, VEHICULAR ACCESSES, ASSOCIATED LANDSCAPING & ANCILLARY WORKS) TO ALLOW FOR CHANGES TO THE APPROVED PLANS FOR CHANGES TO WINDOWS AND DOORS		

Site Description

The application site is currently vacant land. It was previously subject to a block of flats which has since been demolished.

Planning permission was granted in 2017 for the erection of 51no. dwellings together with construction of a new road, vehicular accesses, associated landscaping and ancillary works. These works are being undertaken in two phases.

The site is contained by residential development on both its northern and southern boundaries and partially enclosed by residential development on its east and western boundaries together with landscaping arrangements associated with the adjacent housing estate.

Proposal

The application seeks to make amendments to the approved window and door arrangements associated with the residential properties approved under application 16/00575/FUL.

The amendments seek to alter the window arrangements and the removal of bi-folding doors located at the rear of the properties. Instead, the new window arrangement will include 1no. linear window measuring 1.9m in height (2.1m in height from ground floor) and .8m in width. A new sliding door is proposed measuring 1.4m in width and 2.1m in height. The proposed openings will be of UPVC in white consistent with the openings on the phase 1 aspect of the development.

Consultations

Cadent Gas – No objections. Request informative to be added to decision notice.

Representations

No representations required. Application is for a non-material amendment to application 16/00575/FUL and does not seek to introduce any new openings.

Planning History

Ref: 96/00532/APP – Estate remodelling including new boundary treatments, vehicular hard standings, creation of new garden areas, closure of pedestrian only walkways, road rationalisation, landscaped areas and temporary contractors compound. Granted 21 November 1996.

Ref: 16/00242/DEMCON – Demolition of 5no. blocks of flats. Prior approval granted and required 7 October 2016.

Ref: 18/00770/FUL – Erection of 26no. dwellings together with vehicular/pedestrian accesses, together with landscaping and associated works. Application withdrawn.

Ref: 16/00575/FUL – Erection of 51no. dwellings together with construction of new road, vehicular accesses, associated landscaping & ancillary works. Granted 17th March 2017.

Ref: 18/00066/FUL – Application for removal of condition 8 (affordable housing) of planning permission 16/00575/FUL. Granted 11th May 2018.

Ref: 18/00066/FUL – Application for removal of condition 8 (affordable housing) of planning permission 16/00575/FUL. Granted 11th May 2018.

Ref: 19/00144/FUL – Variation of condition no.2 attached to planning permission 16/00575/FUL (erection of 51no. dwellings together with construction of new road, vehicular accesses, associated landscaping and ancillary works) to allow for revised siting/house types to blocks 5 and 6. Granted 15th May 2019.

Ref: 19/00692/FUL – Variation of condition no. 2 attached to planning permission 16/00575/FUL (Erection of 51no. dwellings together with construction of new road, vehicular accesses, associated landscaping & ancillary works) to allow for amendment to approved plans (revised phase 1-block 11, parking layout). Granted 12 June 2020.

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

Context

The applicant has clarified that phase 2 of the scheme is not viable following the increased construction costs associated with phase 1 development. Given the ongoing cost of living crisis and the impact it is taking on the construction industry

with regards to materials cost the applicant is proposing to replace the bi-folding doors located at the rear elevation under the approved plans in favour of a single leaf window and French door arrangement.

Revised plans were submitted during the course of this application so that the labels correctly corresponded to the previous approved plans together with scale bar. No alterations to the design of the proposals were undertaken.

Design

The development proposals will result in a window arrangement which will align with the window sizes at first floor level. Although it would have been preferred that the bi-folding doors were retained as part of this development given that they allow for increased visibility into private amenity spaces, the costs associated with these openings result in issues which have the potential to place pressure on development viability.

The application proposals do not seek to install any new windows to habitable rooms which would affect residential amenity of neighbouring properties. The proposed changes will have a limited impact on the external appearance of properties albeit would result in a reduced outlook for future occupiers. However, the proposed window arrangements are uniform in appearance and would correspond to the positioning of windows found at first floor level and are considered acceptable in terms of design and are a non-material amendment to application 16/00575/FUL.

Conclusion

The amendments are considered to be non-material and would have no greater impact on the external appearance than the works granted under planning reference 16/00575/FUL.

Recommendation

That the non-material amendment be granted subject to the following conditions:

- 1) The development shall be carried out in accordance with the approved plans and documents listed in Schedule 1 and any plans and conditions attached to planning permission issued under reference 16/00575/FUL except where superseded by this decision notice.

Reason: For the avoidance of doubt.

SCHEDULE

Date Received	Ref. No	Version	Drawing/Document Title
23.03.2023	L201A		LOCATION PLAN
17.04.2023	L18C		BLOCK 12 – 2B4P & 3B5P HOUSES
17.04.2023	L19C		BLOCK 13 – 3B5P HOUSES
17.04.2023	L20C		BLOCK 14 - 3B5P HOUSES
10.05.2023	L21I		BLOCK 15 – 2B4P & 3B5P HOUSES
17.04.2023	L22F		BLOCK 16 – 2B4P HOUSES

17.04.2023	L23D		BLOCK 17 – 3B5P HOUSES
17.04.2023	L24C		BLOCK 18 – 3B5P HOUSES
17.04.2023	L25C		BLOCK 19 – 3B5P HOUSES
17.04.2023	L26E		BLOCK 20 – 2B4P HOUSES
17.04.2023	L27C		BLOCK 21 – 3B5P HOUSES
17.04.2023	L28C		BLOCK 22 – 3B5P HOUSES
10.05.2023	L40C		BLOCK 23 – 3B5P HOUSES

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **17 May 2023**

INFORMATIVE

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 works, 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.

Your responsibilities and obligations

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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.

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If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.