

Regeneration and Economic Development Department

APPLICATION NO: 22/00296/FUL

APPLICANT: Mr Christopher Lawson

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT: ERECTION OF A DETACHED BUILDING TO REAR GARDEN AREA

LOCATION OF SITE: 5 Banner Hey, Whiston, Knowsley, L35 3JS,

KNOWSLEY LOCAL PLAN ALLOCATION –

Coal Consultation Zone - Coal - High Risk Area

Coal Consultation Zone - Coal - High Risk Area

Primary Residential Development - Primary Residential Development

RELEVANT POLICIES

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)

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

TECHNICAL CONSULTATIONS:

Highway Authority - No objections but requests conditions.

Whiston Town Council - No comments received.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 12 neighbours. No representations have been received.

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The application relates to a semi-detached dormer bungalow on Banner Hey at the junction with Halton Hey, with the main front elevation facing Halton Hey. The application seeks planning permission for the demolition of an existing detached garage currently used for storage and for the erection of a detached building in the rear garden area to provide a study/office, playroom and bathroom facilities. The building would be 8.5m wide with a depth of 3.5m and would have a hipped roof with a central ridge between the two hipped ends attaining a ridge height of 3.2m. The external walls would be of facing brick to match the dwelling with the roof being of Redland Regent concrete tiles. The building would be 3m from the rear of the existing conservatory on the rear of the dwelling. The building would project forward of

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the main side elevation of the bungalow approximately 3.8m and be set back from the back of footpath approximately 2.9m.

POLICY CONSIDERATIONS

The application complies with the above noted planning policies.

DESIGN, ACCESS AND CRIME PREVENTION

The revised design and siting is acceptable and the building would not be detrimental to the visual amenities of the area. The side elevation of the proposed building facing Banner Hey would have a window to provide interest rather than a blank gable. Whilst the building would project forward of the existing dwelling and be approximately 2.9m from the back of footpath the building would not be visually dominant or incongruous in the street scene. The property already has a high boundary fence/gates along this part of Banner Hey, albeit with one panel removed, on the back of footpath; in addition, the road slopes down from Long Hey with planting along the Banner Hey boundary of the adjacent property, 37 Long Hey, which would partly shield the building from view. Furthermore, the dwelling opposite, 33 Halton Hey, has a two storey side extension approved on 17 May 2018 (18/00049/FUL) with 2.1m-2.8m from the extension to the side boundary with Banner Hey and as such the proposed building would not project beyond the building line as at present albeit the building line of 33 Halton Hey as viewed along Banner Hey is a gable rather than front of dwelling.

The proposed building would be able to be viewed from the rear of the adjoining house, 28 Halton Hey, although this already views the existing garage. As such, and with the modest size of the building and the property to the north, 37 Long Hey, being on slightly higher land it is considered that the proposal would not impact adversely on the outlook of neighbouring properties.

No crime or anti-social behaviour issues are raised by the proposal.

HIGHWAYS

The proposal includes the provision of two parking spaces off Banner Hey adjacent the proposed building to provide parking for the dwelling in line with the Council's parking standards. It is considered that this would be the most appropriate location for the parking to allow the current 'front' garden on Halton Hey which is planted and provides an attractive addition to the street scene here to be retained. No other highways issues are raised.

RESIDENTIAL AMENITY

The proposal is for a detached building for domestic use within a residential area and raises no residential amenity concerns or privacy issues.

CONCLUSION

The revised proposal is acceptable in design and would not be detrimental to the visual or residential amenities of the area. The proposal complies with 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.

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Reason: For the avoidance of doubt.

- 3) The development shall not be brought into use until the areas indicated on the proposed plans be set aside for parking, have been hard 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 Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 4) No part of the development shall be brought into use until visibility splays of 2 metres by 2 metres have been provided on each side of the access. The depth shall be measured from the back of footway/verge and the width measured outward from the edges of the access. The splays shall be provided clear of obstructions to visibility above the height of 0.6 metres measured from the footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) Notwithstanding any submitted details the external walls of the building hereby permitted shall match the brickwork used on the existing dwelling and the roof shall of grey coloured tiles.

Reason: In the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

6. The building hereby permitted shall be ancillary to the existing dwelling and at no time shall be used as or converted to a separate dwelling unit.

Reason: In the interests of the residential and visual amenities of the existing dwelling, to maintain the character of the residential area and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
15/08/2022	ES/CAD/158	-	Proposed Site Plan
24/06/2022	ES/CAD/158	-	Proposed Elevations
24/06/2022	ES/CAD/158	-	Proposed Floor Plan and Sections
28/04/2022	-	-	Location Plan

Informatives

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- 1 The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

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 Coal 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 that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal 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. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Lee Osborne

24 August 2022

Signed by

Mark Quinn

31/08/2022

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