

<u>APPLICATION NO:</u>	23/00089/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Prescot Town Council
<u>LOCATION:</u>	Homesure, 16 Leyland Street, Prescot		
<u>PROPOSAL:</u>	CHANGE OF USE OF FIRST FLOOR OF OFFICE (USE CLASS E (g) (i)) TO FORM 1 NO. RESIDENTIAL FLAT (USE CLASS C3) TOGETHER WITH THE ERECTION OF A PART SINGLE STOREY PART TWO STOREY REAR EXTENSION WITH REAR EXTERNAL STAIRCASE		

Site Description

This application relates to an end- terrace building in Leyland Street, Prescot Town Centre, sited within the Prescot Town Centre Conservation Area. There is a rear yard area to the terraced properties accessed by a footpath leading from Leyland Street. Part of the rear boundary wall of the application site has been replaced by timber fencing.

The adjoining unit was granted planning permission on 30.06.2021 for the demolition of an existing attached outbuilding together with the erection of a rear extension, installation of extraction equipment and change of use of the building to either café / restaurant (Use Class Eb or public house / wine bar (Sui Generis Use). This building is currently vacant.

Proposal

It is proposed to demolish an attached single storey outrigger at the rear of the premises and to erect a part single storey part two storey extension across the width of the property. An external metal staircase is proposed to access the first floor of the extended building, leading to a balcony where the entrance would be. An obscure glazed panel is proposed the depth of the balcony adjacent the boundary with 14 Leyland Street. The extended first floor is proposed to be converted into a two-bedroom flat. The extension would be set in from the boundary by 150mm and the rear boundary wall would be taken down in part and rebuilt 150mm in from the boundary to tie in.

The ground floor extension would have a depth of 5.6m, the same as the existing next-door extension. The upper floor would have a depth of 3.6m and the balcony depth would be 2m, with the external staircase extending from the balcony to approximately 0.8m of the rear yard boundary wall. There would be an obscure glazed separation screen panel 1.8m high along the depth of the balcony adjacent the boundary with 14 Leyland Street. Five conservation rooflights are proposed, two to each roof plane of the proposed extension and one on the roof plane of the existing building at the front. An obscure glazed window is proposed on the gable of the existing building near the front of the building. Composite slate tiles are proposed for the roof of the extension.

The ground floor extension would provide office and staff facilities for the existing

estate agents operating on the ground floor. The boundary wall along the public footpath to the side property is proposed to be re-built.

Consultations

Conservation & Design Officer - Concern expressed regarding the demolition, and comment made also that if the proposed demolition is considered acceptable, any renewed boundary wall/side wall should remain on the historic line.

Prescot Town Council - No Comments Received

Representations

This application has been publicised by letters sent to 27 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

K/11855/APP - CHANGE OF USE GROUND FLOOR TO MEDICAL ACUPUNCTURE HOMEOPATHY AND HYPNOSIS CENTRE. Granted: 09.10.1989.

K/8317/APP – CHANGE OF USE OF GROUND AND FIRST FLOOR TO OFFICES. Granted: 23.08.1984.

K/6335/APP – CHANGE OF USE OF FIRST FLOOR FLAT TO HAIRDRESSING SALON. Granted: 04.12.1981.

K/1776/APP - FIRST FLOOR CONVERSION FOR RESIDENTIAL PURPOSES. Granted: 07.04.1977.

K/1382/APP – CHANGE OF USE TO GROUND FLOOR LADIES AND GENTS' OUTFITTERS AND FIRST FLOOR STORAGE FOR SHOP. Granted: 17.06.1976.

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
CS6 - Town Centres and Retail Strategy
CS14 - Principal Regeneration Area - Prescott TC
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Borough's Historic Environment

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

DQ5 - Development in Conservation Areas
DQ6 – Demolition of Buildings and Structures in Conservation Areas

Article 35 Statement

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.

Assessment

The application relates to an end terrace unit located within Prescott Town Centre Conservation Area currently operating as an estate agent on the ground floor with vacant office space above. The proposal includes the demolition of an existing outrigger and a part single storey extension and part two storey extension to the rear of the building together with an external metal staircase to access the first floor at the rear. It is also proposed to change the use of the extended first floor to a two-bedroom flat and retain the estate agents on the extended ground floor. The uses of the unit, both existing and proposed, are fully compatible with the town centre location and as such the proposal is acceptable in terms of the principle of development. The main considerations therefore relate to the physical works and as such relate to the following: - design and heritage considerations, visual and residential amenity considerations, and highway implications.

Design and Heritage Considerations

14 Leyland Street is sited within the Prescott Town Centre Conservation Area. 17 Atherton Street lies to the rear of the site and is Grade II listed. It has views from key windows at 2nd floor level towards the application site.

As the proposed development lies in a Conservation Area and adjacent to Listed Buildings, the application must be considered in the context of requirements imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66(1) of the Act states that:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special

architectural or historic interest which it possesses”.

Further, Section 72 states that:

“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Policy CS20 (Managing the Borough’s Historic Environment) in the Core Strategy also states that development proposals in Knowsley should preserve or enhance the borough’s historic and architectural assets including Listed Buildings and Conservation Areas. The Policy goes on to state that the Council will require preservation of the local distinctiveness and character of historic assets through the sensitive design of new developments including appropriate integration with their setting and immediate landscape.

Saved Policy DQ5 (Development in Conservation Areas) in the Replacement Unitary Development Plan, states that new developments within a Conservation Area must preserve or enhance the character and appearance of the area.

In addition, the NPPF states that when determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF also states (para 193) that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Furthermore, the NPPF states (para. 194) that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional.
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site.
- b) no viable use of the heritage asset itself can be found in the medium term through

appropriate marketing that will enable its conservation.

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Number 16 Leyland Street was built as part of a residential terrace soon after Leyland Street was laid out. A datestone on the terrace indicates it was built 1908. It is of fairly simple pattern book design but appears well built although now seemingly suffering structural integrity issues. Many of the buildings have since been converted to commercial uses, though the street has retained a semi-residential character.

17 Atherton Street is set to the east of this site. The listed building description confirms that *"The importance of the building lies in the survival of an integral 2nd floor watch-maker's workshop visible to the rear. 30-pane window, lintel at eaves level, 4 principal mullions one with a shaped eaves bracket. 1st floor sash windows under segmental heads. This building marks an early phase in the history of watch making in Prescott, an industry for which the town was nationally important"*. Features remnant of the watch making industry, once commonplace, have been largely lost in Prescott, and so this is a rare and highly valued building. It is not considered that the proposed demolition of outrigger and erection of part single storey part two storey extension across the rear of 16 Leyland Street, and the installation of an external metal access staircase would impact adversely the views from 17 Atherton Street, particularly in the context of the area and the rear extensions to buildings in the vicinity of 17 Atherton Street and application property.

A concern has been expressed concerning the demolition of the outrigger and the erection of the extension to the rear. The applicant has submitted a supporting argument which states that: *"Leyland Street and its neighbouring terraced properties, were not built with expansion joints or cavity walls. Due to expansion and contraction over the years, the gable wall and outrigger now have substantial movement. A structural Engineer has completed an assessment on the property, the findings are*

1) The gable wall has bowed at the top of the building at roof level. The gable wall has moved out of line, the structural roof members are at the point of not being supported correctly and will fail if the gable wall structural issues are not fixed.

2) The outrigger has moved considerably, and previous owner had not carried out repairs, The structural floor end beams have rotted due to water ingress and the ground has moved to the point where the outrigger is starting to rotate. The Structural Engineers report suggests the outrigger is close to the point of failure and a complete rebuild is required."

The applicant notes key points of the extension project as foundation reinforcement and structural enhancements and to ensure the long-term viability and safety of the building. The foundation proposed for the extension has been designed specifically to address issues caused by the sand base of the ground and to achieve stability and longevity. The proposed extension would also aid the overall structural integrity of the building. In terms of long-term viability and safety, the proposed extension and

foundation would give stability to the rear of the overall building as extended and allow the conversion of the first floor to a two bedroom flat, which would financially aid with regards other aspects of building structural repairs and enhancements caused by the sand based ground and building movement (as can be evidenced on the front bay window and the gable of the building).

With regards the proposed metal staircase leading to the entrance of the proposed flat, and the resulting balcony element, such are common in town centre locations and there are a number of such in the vicinity of the site, whilst the balcony enclosure is low key and would not have a significant impact within the conservation area.

The proposed extension would be built off the current boundary line by 150mm and the boundary wall along here is proposed to be rebuilt 150mm to avoid potential impacts on the highways.

The realigning of the extension and the boundary wall within 150mm of the boundary as existing is a relatively insignificant movement and it is considered would not have a detrimental effect on the conservation area overall. The justification for the demolition of the outbuilding is reasonable as is the justification for the design of the proposed extension which would allow the optimisation of the first floor to be used as a two-bedroom dwelling which benefit the Town Centre's economy and the longevity and viability of the building to the public benefit.

The proposals would be in accordance with Local Plan policies CS2, CS19 and CS20, saved policies DQ5 and DQ6 in the UDP and relevant policies in the NPPF.

Visual Amenity Considerations

The proposed extension would be similar to the extension on the rear of 14 Leyland Road, albeit the two-storey element would extend the width of the building whilst the two-storey element of the extension to 14 Leyland extends across part of the rear of the building but not across one first floor room adjacent 16 Leyland Street. There are a number of properties in the rear which have external staircases and it is considered that the staircase is acceptable given the context of the site and properties in the vicinity of the site. Furthermore, with the extension and staircase on the rear it would only be readily visible from the public footpath which leads from Leyland Street down the side of the property and along the rear of the terraces and the terrace fronting Atherton Street and is otherwise a dead end, so there would be little public view of the proposed works other than those accessing the rear of the noted properties.

Whilst the Householder Development SPD states that "A single storey rear extension located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling" and "Two storey extensions of up to 3 metres will normally be acceptable" the application property is not residential (although the upper floor will be if the application is approved). Furthermore, the approved use of the current vacant adjoining building is as a café/restaurant or public house/wine bar and as such the proposed first floor extension at 3.6m is considered acceptable in terms of outlook impact and the extension would not impact on the visual amenities in a significant manner. Furthermore, it should be recognised that often properties in town centres, whether in commercial or residential use, or combination, usually have greater impacts on outlooks and space due to the nature of their location.

The proposal complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy DQ5 of the UDP.

Residential Amenity Considerations

The adjoining property is vacant with an approved hospitality use whilst other buildings in the vicinity are commercial, mixed commercial and residential and there is also a residential apartment building adjacent fronting High Street. The proposed extension, use of the extended building as a residential flat at first floor level and provision of additional office space and staff facilities on the ground floor would not impinge on residential or general amenities of the area. There is an obscure glazed 1.8m screen panel proposed the depth of the balcony alongside the boundary with 14 Leyland Street to afford privacy to both the adjacent rear room of 14 Leyland Street and the residents of the proposed flat. The gable window proposed would be obscure glazed. As such no privacy issues are raised by the proposal.

The vacant property adjoining has an approved hospitality use, with the first floor approved as a dining area for table covers and it is considered that the proposed extension with the 3.6m depth of the first floor extension would not impact significantly on 14 Leyland Street, with the first floor extension in effect acting similar to a ground floor extension due to the existing extension on that property, taking into consideration that a 4m deep ground floor extension on the party boundary is allowed by adopted policy set within the Householder Development SPD.

The change of use of the adjoining property includes odour and noise mitigation measure (both as part of the approved application and by condition) which would alleviate noise from the approved use on the proposed flat. Furthermore, town centre residences should expect a level of noise and disturbance greater than that for residential properties elsewhere due to the nature of the town centre environment. As such it is considered that the proposed flat would have acceptable impacts from the approved use.

As such the proposal complies with Policies CS2 and CS19 of the Core Strategy.

Highways Considerations

Whilst parking is restricted in the immediate area (Loading Only Monday – Saturday 8am -6pm) there are other alternative car parking facilities within the town centre with the nearest car parking being Mill Street (just off Leyland St) and on High Street. In addition, on street parking after 6pm is available in Leyland Street

NPPF is clear that development should only be refused on highway grounds if the have a severe impact on the road network or unacceptable impacts on highway safety. Given the location of the site within the Town Centre and the presence of parking facilities within the Town Centre it is considered that the proposal does not raise highways concerns.

The proposal complies with Core Strategy Policy CS2.

Conclusion

The proposed demolition and building works, taking into account the arguments put forward by the applicant and the structural issues with the property as existing, are considered acceptable as is the proposed first floor use as a flat. The proposal as amended 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.

Reason: For the avoidance of doubt.

- 3) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of all materials to be used externally on the rear extension have been submitted to and approved in writing by the Local Planning Authority, including specification details for the balcony enclosure and screen panel, together with the external metal staircase. Such details shall include the type, colour and texture of the materials, and the finish of the external staircase and balcony enclosures. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: To preserve the character and appearance of the Prescott Town Centre Conservation Area. In the interests of visual amenity and to comply with Policies CS19 and CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, and Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 4) All rooflights hereby permitted shall be conservation style rooflights set as flush as practicable within the roof slope.

Reason: To preserve the character and appearance of the Prescott Town Centre Conservation Area, in the interests of visual amenity and to comply with Policies CS2, CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016, and Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) The taking down and rebuilding of the boundary wall hereby permitted shall include the replacement of the existing length of timber fencing installed and all works to the boundary wall shall use the existing boundary wall brick or brick to match. Such works shall be completed prior to the first floor flat hereby permitted being first occupied.

Reason: In the interests of the character and appearance of the Prescott Town Centre Conservation Area and visual amenity and to comply with Policies CS2, CS19 and CS20 of the Knowsley Local Plan Core Strategy adopted January 2016, and Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 6) The first floor flat hereby permitted shall not be first occupied until the proposed window on the gable elevation as indicated on the Proposed Plans and Elevations drawing no. 2C has been glazed with obscure glass to level

4/5. The window shall be fixed shut or top hung and shall be retained as such with level 4/5 obscure glazing at all times thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of adjoining residential property and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
03/11/2023	2C	-	PROPOSED FLOOR PLANS AND ELEVATIONS TOGETHER WITH 3D VIEWS
11/04/2023	-	-	LOCATION PLAN

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: K Foster

Date: 14 December 2023

Informatives

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

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

