

Regeneration and Economic Development Department

APPLICATION NO: 21/00800/OUT

APPLICANT: Oakley Asset Management Ltd

WARD AFFECTED: St Gabriels

DEVELOPMENT: OUTLINE APPLICATION (LANDSCAPING RESERVED) FOR THE DEMOLITION OF THE EXISTING STRUCTURES AND ERECTION OF 2 APARTMENT BUILDINGS FOR UP TO 54 APARTMENTS IN EITHER C2 (CARE HOME) OR C3 (RESIDENTIAL) USE

LOCATION OF SITE: Prospect House , Huyton Church Road, Huyton, L36 5SH

KNOWSLEY LOCAL PLAN ALLOCATION –

Coal Consultation Zone - Coal - Low Risk - Standing Advice Area

Conservation Areas - Victoria Road And Huyton Church Road

Conservation Areas - Victoria Road Conservation Area

Primary Residential Development - Primary Residential Development

Town and District Centres - Town And District Centres - Huyton Town Centre

SITE

The application site consists of an office building located within a regular shaped plot within the Huyton Church Road and Victoria Road Conservation Area. The site is accessed off Huyton Church Road.

The site is bounded by mature trees to the northwest and southeast boundary and there are also a number of trees to the southwest and northeast boundary. There are residential properties on three sides with the police station building lying beyond the northwest boundary and a 24 hour Asda also sited within the vicinity of the site. The site gradient falls slightly from Huyton Church Road and there is a grassed area to the rear of the building and existing car parking serving the office building to the northeast of the site.

PROPOSAL

The proposal is an outline application with only landscaping reserved for future consideration. As such the application seeks approval of all other matters including access, appearance, layout and scale. The proposal is for the demolition of the existing structures (which requires separate approval before the demolition can begin) and the erection of 2 apartment buildings for up to 54 apartments in either C2 (care home) or C3 (residential) use.

The proposal consists of a 4 and a half storey apartment building fronting Huyton Church Road and a 4 and a half storey apartment building to the rear of the site within the existing landscaped area. The care home proposal incorporates communal facilities within the rear building with flats above. The proposal seeks to retain the car parking area to the east of the site and proposes minor works to utilise the existing access.

RELEVANT POLICIES

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

- T5 - Location of Major Traffic Generating New Development
- T7 –new Development and Walking & Cycling Routes
- T8 - Transport Assessments
- T9 - Travel Plans

T10 – Access for the Less Mobile
DQ2 - Security in the Built Environment
DQ4 - Trees and Development
DQ5: Development in Conservation Areas
H7 – Provision of Flats, Nursing and Residential Homes, Hostels and Housing in Multiple Occupation
H5 – Development within Primarily Residential Areas
ENV2 - Noise and Vibration
ENV3 – Light Pollution
ENV5 - Contaminated Land

KNOWSLEY LOCAL PLAN: CORE STRATEGY (ADOPTED 2016)

Strategic Objective 5: Quality of Place

SD1 - Sustainable Development
CS1 - Spatial Strategy for Knowsley
CS2 - Development Principles
CS3 - Housing Supply Delivery and Distribution
CS7 - Transport Networks
CS8 - Green Infrastructure
CS15 - Delivering Affordable Housing
CS17 - Housing Sizes and Design Standards
CS19 - Design Quality and Accessibility in New Development
CS20 – Managing the Borough’s Historic Environment
CS21 - Greenspace and Trees
CS22 – Sustainable and Low Carbon Development
CS24 - Managing Flood Risk
CS26 - Waste Management
CS27 - Planning and Paying for New Infrastructure

The Joint Merseyside and Halton Waste Local Plan (2013)

WM8 - Waste Prevention and Resource Management
WM9 - Sustainable Waste Management Design and Layout of New Development

Adopted Supplementary Planning Documents (SPD)

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Trees and Development SPD (2016)
Developer Contributions SPD (2016)
Amended New Residential Development SPD (2018)
Adding Social Value to Development: Employment and Skills SPD (2018)

Government and Other Guidance

National Planning Policy Framework (2021)
Planning Practice Guidance
National Design Guide
Conservation Principles, Policies and Guidance (2008) Historic England
Good Practice Advice Notes 2 and 3 (2015) Historic England
Huyton Village Masterplan SPD

TECHNICAL CONSULTATIONS:

Highways – Objection raised on the grounds that the proposal does not incorporate adequate parking nor does the proposal include a turning area to the rear of the car which will be detrimental to highway safety, affecting the safe operation of the existing highway network.

LLFA – No comments received.

United Utilities – No objection subject to a drainage condition.

Conservation and Design - The development would result in wholly unacceptable impacts on the character and appearance of the Victoria Road and Huyton Church Road Conservation Area by reason of its uncharacteristic more intensive layout including the 'back land' development and the extent of hardscape/parking, and also the uncharacteristic scale, form, massing, height, materials and architectural detail of the buildings. The proposals also would result in a harmful effect upon the street scene and views into and within the conservation area, contrary to s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the policies within the Core Strategy, notably (but not limited to) CS19 and CS20, and saved policy DQ5.

Arboricultural Officer – Objection on the grounds that the proposed development would result in the loss of trees worthy of retention, the scheme would not be able to accommodate adequate planting to offset the loss of trees within the site and concern that the proposal cannot be constructed without resulting in conflict between the construction of the building and harming the trees to the front of the site. A shade report is required to be submitted to demonstrate how much sunlight the front rooms would receive. Additionally the trees to the front of the site would require greater protection that set out in the proposed methodology in order for them to be successfully retained.

MEAS – No objections subject to conditions.

Merseyside Fire and Rescue – No objection.

Merseyside Police – No objection.

Cadent Gas – No objections subject to an informative.

Housing Strategy – No objections raised subject to the delivery of 10% affordable housing on site.

Fusion 21 – No objections subject to the applicant entering into a s106 agreement to deliver the social value contribution.

NEIGHBOUR NOTIFICATION:

This application has been publicised on site and in the press. Neighbours have been notified by letter. 21 objections have been received and are summarised below:

Design, Scale and Visual Amenity Impacts

The scale and massing of the proposed development within the Conservation Area is detrimental to its character.

The proposal does not relate in height or scale to the surrounding properties. The proposal has 5 floors and surrounding properties are 2 storey and bungalows and would be dominated by the development.

The proposal is not in keeping with the character of the area by virtue of its design, size, height and scale.

The proposal will be harmful to visual amenity.

Concern about numbers of apartments and the number of small apartments e.g. one bed.

The size of the apartments would not attract families which would lead to a culture change in the road which has a predominantly family feel.

Conservation Area Impacts

The proposal will have a negative impact on the Conservation Area which is currently a calm, low trafficked, green area with 2-2.5 storey properties mainly.

The Council's 'Revised Character Appraisal 2015 - Victoria Road & Huyton Church Road Conservation area' states that any redevelopment on the Prospect House site should be in keeping with the character of the area. The massing and height of any development should correlate with the mainly residential use surrounding the site. Appendix 3 shows a Townscape Appraisal Map which identifies the trees to the rear of the site (and proposed to be removed in this development) as important trees. The building opposite (Lawrence House) is also denoted as a focal building. There is also a number of arrows identifying key views. The appraisal defines "the key aim of the appraisal is to conserve and manage change, in Victoria Road & Huyton Church Road Conservation area" and "it aims to safeguard the continued enjoyment of the area by its residents and visitors and protect the area for future generations". The proposal does not align with the character appraisal and the aspirations for the site.

The proposal does not accord with the objectives for planning for the historic environment and does not meet the objectives set out in guidance. The development does not make a contribution to local character and distinctiveness, nor sustain or enhance the Conservation Area, nor does it promote wider benefits.

The proposal would set an unwelcome precedent in the Conservation Area as it will be the first apartment block in the road and the only building over 4 storeys. The building will be visible from Lathom Road and would be harmful to the streetscene, dominating views and adjacent properties.

The design of the proposal would not accord with buildings within the conservation area e.g. use of cladding and use of large glazed areas.

The scale, massing, height and proportions of the development would be out of keeping with the Conservation Area. The proposal would erode the Victorian suburb character which consists of large villa style houses with large gardens.

Loss of Trees

The proposal would result in loss of trees which will make the development more dominant. Trees form an important part of the Conservation Area's character. A request for TPOs to be put on the trees has been made.

Residential Amenity Impacts

The proposal will cause loss of light/dominance and will be harmful to residential amenity through loss of privacy/overlooking. The proposal would also create light pollution.

Highways Impacts

The development will require more car parking spaces which cannot be accommodated within the site and will lead to residents parking on the road (where there are currently restrictions). The development will be detrimental to highway safety and on street parking is not a characteristic of the conservation area. The development does not accommodate car parking spaces for visitor or staff parking, there is no provision for disabled parking and the proposal does not comply with the car parking standards within the Council's SPD.

The annotation of 'NR' on the plans implies that there will be non-residential parking on the site.

Concern that the parking restrictions on Huyton Church Road will be removed and replaced with on street parking provision in relation to the development. This will lead to on-street parking problems, access difficulties for existing residents, difficulties associated with turning round on the street (due to it being a no through road) and ambulances may also have difficulties accessing residents.

Increased use of Huyton Hey Road will lead to further deterioration of the road which will require maintenance.

The proposal would be contrary to highway safety due to the increase in traffic (which would increase congestion) and due to the layout e.g. there is no turning area in the car park.

The proposal only has one access and egress point. Concern has been raised about the safety of children walking past a busy access. The development does not have adequate pedestrian access.

Density

The density of the development is too great and the development will increase population of residents living on Huyton Church Road, possibly more than doubling (even quadrupling) the population. The proposal would more than treble the number of dwellings in the road.

Noise Impacts

The proposal would create noise and general disturbance due to the intensive use of the site.

Drainage

The area has problems with flooding due to the Victorian sewer and the proposal will exacerbate these existing problems. The buildings have a larger roof catchment area than the existing Prospect House roof and a large amount of hardstanding as well as a reduction in trees. Together with the foul drainage requirements from 54 apartments, this would have a detrimental impact on the existing sewer.

Additional

Concern was raised about limited neighbour notification.

Whilst the site would benefit from a residential development as the area is residential, the development seems to be maximising profit to the detriment of the area and local community.

There is a restrictive covenant which states that the land should be built for residential detached or semi-detached houses and specifies materials.

Concern has been raised about bin storage and how refuse vehicles will access the development to empty bins. Concern has also been raised about increases in the rodent population.

The electricity supplies are old and water pressure is already low due to old infrastructure.

The proposal will have a detrimental impact on quality of life and adverse health impacts.

The proposal will negatively impact on air quality.

3 Comments have also been raised from the ward councillors and are set out below:

Councillor Evans (Comments supported by Cllr Walsh)

The plans for the property are detrimental to the local area on a number of grounds.

- The buildings are over-sized and will cause an impediment to neighbouring properties.
- The plans for number of occupants do not make for sufficient provision for the vehicles of the occupants.
- The effect of having 54 occupants plus any other services will also affect the road links.
- The increased number of occupants will have detrimental effects on the local utilities especially drainage which is already being impacted by the trees.

Though the site of the redevelopment needs redeveloping the scale, orientation of the development is wrong for the sight. The developer would benefit from arranging direct contact with ward councillors and residents in the local area to discuss the development.

Councillor Walsh

Councillor Walsh fully supports Councillor Evans' comments and objects to the proposal. Discussion with representatives for the ward and residents is encouraged.

Councillor Golding

Reservations raised about the height/number of floors and the development may not be in keeping with the rest of the houses in the area.

ARTICLE 35

The LPA 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 NPPF.

EQUALITIES ACT 2010

In formulating a recommendation on this application, the Local Planning Authority has considered the requirements of S149 of the Equalities Act 2010.

Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In this case, the proposed development is not anticipated to have any potential impact from an equality perspective.

ISSUES AND ASSESSMENT:

PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This is the test that legislation prescribes should be employed on planning decision making. The 'presumption in favour of sustainable development' at paragraph 11 of the NPPF means: "approving development proposals that accord with an up-to-date development plan without delay"

The site is located in a primarily residential area and therefore a residential use is acceptable. The development would result in the loss of employment land given the site's existing office use and whilst the applicant has not put forward a case which sets out why the development accords with Policy CS4, the proposed development would not result in the loss of high quality office space or result in the loss of office space in a town centre or business park and on balance the loss of an employment site in this location would not cause social, economic or environmental harm.

HOUSING

Policy CS15 of the Core Strategy and the NPPF require developments of this scale to provide 10% affordable housing within the site. The applicant has confirmed that they are able to meet this requirement in their supporting statement. Based on 54 units, this would be 5 units and all these units should be available for affordable home ownership. This can be secured via a s106 agreement.

HIGHWAY SAFETY

Policy CS7 of the Local Plan Core Strategy and Saved Policy T5 of the Knowsley UDP seek to ensure that major development sites are sustainably located, and any impacts caused by a development are mitigated as well as incorporating access for private vehicles. Policy CS7 of the Core Strategy states that new development should be located to prioritise accessibility and sustainable modes of transport and enhance road safety and new major developments should be accompanied by a Transport Assessment and/or Travel Plan. Both Policy CS7 and Saved Policy H7 state that compliance with car parking standards should be achieved. Policy CS2 of the Core Strategy seeks to reduce the need to travel and increase accessibility by sustainable modes of transport whilst encouraging safe and sustainable access for all. Policy CS19 of the Core Strategy expects new developments to provide safe, secure and convenient routes for movement. Saved policy T8 of the UDP sets out that major developments will require a transport Assessment to be submitted with any application and Saved policy T9 of the UDP requires major traffic generating development to be accompanied by a Travel Plan to allow the LPA to assess the highway safety impacts of a proposal. Saved policy H7 of the Replacement UDP states that new flat developments will be permitted providing necessary vehicle parking areas would be adequate to meet the needs of the development, safe and screened and/or landscaped.

The Highways Engineer has been consulted as part of the proposal and has objected on the grounds that the proposal will be detrimental to highway safety, includes insufficient car parking and insufficient information. Whilst the proposal seeks to construct 54 apartments in C3 or C2 use, given residential parking standards are higher and the amount of traffic associated with a residential development is higher at peak periods, the assessment is based on a 100% residential use of the site. However, the proposal provides limited detail regarding how the care home would operate and given the layout of the care home proposal, it is considered that this may not necessarily require less car parking spaces, although it is noted that further detail is required in this regard.

It is considered that the proposal contains insufficient information to enable the LPA to adequately assess the highway safety impacts of the proposal. In particular, no transport statement or assessment and/or travel plan have been submitted, contrary to policy CS7 of the Core Strategy. Furthermore, no evidence has been provided which allows the Council to determine whether the site can be adequately serviced (from fire tenders and delivery vehicles) and there isn't a turning area within the site to allow a delivery vehicle to enter and leave the site in a forward gear which is considered to be detrimental to highway safety.

In terms of parking spaces, the proposal seeks to provide 25 spaces. The parking standards set out in the Ensuring Choice of Travel SPD are maximum parking spaces which would require the following for the C3 use:

24 1 bed apartments (24 parking spaces)
8 2 bed apartments (16 parking spaces)
22 3 bed apartments (44 parking spaces)

The application does not include a Transport Statement or Assessment which justifies why only 25 spaces (only 30% of the SPD's standard) would be sufficient to serve the development and no disabled spaces have been provided.

The site is in a sustainable location and close to existing bus stops and a railway station. However, the extent of parking provision is not considered to be adequate to meet the parking requirements of a development of this nature. Moreover, there are parking restrictions which would displace parking either into existing residential streets, into town centre car parks or encourage illegally parking on the restricted street. This would be detrimental to highway safety. As such, the proposal is considered contrary to policy CS7 of the Core Strategy, Saved Policy H7 in the Replacement UDP and the Ensuring a Choice of Travel SPD.

As such, there is considered to be insufficient information to satisfactorily assess the highway safety impacts of the proposal against policies CS7 and CS19 of the Core Strategy, policies T5, T8 and T9 of the UDP and the NPPF. The proposal includes a plan that cannot be adequately scaled off and does not include swept path analysis for the relevant vehicles and therefore the access into the site cannot be adequately assessed. The proposal is also considered to incorporate insufficient parking and a

layout that does not set out areas for delivery vehicles to turn. The proposal is therefore contrary to policy CS7 of the Core Strategy and the 'Ensuring Choice of Travel SPD.

TREES

Saved Policy DQ4 of the Knowsley UDP seeks to ensure that new developments include adequate tree and landscape provisions whilst at the same time seeking the protection or replacement of trees affected by development. Saved policy DQ4 of the UDP sets out that where trees make a positive contribution to amenity, the retention of these trees should be included in any new development proposal. Policy CS21 of the Local Plan Core Strategy also has the same aims and sets out the principles for mitigation where tree loss is unavoidable. Policy CS19 also sets out that development should complement and enhance (where possible) existing landscape. This approach is supported by the Amended New Residential Development SPD and the Trees and Development SPD.

The applicant has submitted a Tree Survey and an Arboricultural Method Statement with the application. The application seeks to retain the high value trees to the front of the site but the trees to the rear of the site are proposed to be removed. The supporting tree survey with the application sets out that the trees to the rear of the site, which are proposed to be removed, are C category trees. However, the Council's Arboricultural Officer has stated that whilst these trees are category C trees, as a group, they should have a higher value, particularly given their location in the Conservation Area. The Council's Arboricultural Officer considers the group value of these trees to be B2.

The proposal will result in avoidable loss of the group B2 category trees to the rear of the site and in particular T15. In addition to this, the proposed development will not provide enough space for appropriate tree replacement planting on site, resulting in a development that is contrary to policy CS21 of the Core Strategy and policy DQ4 of the UDP. The proposal will also result in a building that is located very close to the Beech Trees that bound the front of the site. These Beech Trees are considered to be high value trees. The Council's Arboricultural Officer has stated that these Beech Trees will require further protection than that proposed within the methodology and that no works have been suggested for these trees.

Furthermore, the canopies will potentially come into contact with the new building, the front rooms would appear to receive limited sunlight during the day and a shade report would be needed to understand the extent of this sunlight loss. No shade report has been forthcoming. In the absence of a shade report, it is considered that not enough information has been submitted in order for the LPA to come to a definitive position as to whether the trees will lead to unreasonable loss of light within front habitable rooms to the detriment of residents, and as such put undue pressure on these trees. Therefore, the LPA does not have sufficient information to assess the full impact of the proposal on the high value trees to the front of the site. The proposal is therefore contrary to Saved Policy DQ4 of the UDP and policy CS21 of the Core Strategy.

The loss of the Group B2 trees to the rear of the site is also considered to result in a development that does not retain existing habitat features which offer a positive contribution to the local environment in terms of visual amenity and results in avoidable tree loss within the site, therefore making the development contrary to policies CS21 of the Core Strategy and DQ4 of the UDP. The proposal is also considered to be contrary to the Trees and Development SPD.

It is also considered that the proposal is contrary to DQ4 of the UDP as the development does not include appropriate space for tree planting as an integral part of the development and having regard to the character of the area. The rear vegetated boundary is a key characteristic of the area and the proposed development does not leave adequate space for rear boundary planting.

RESIDENTIAL AMENITY

In order for the proposal to be acceptable, it is important that it does not have a detrimental impact on the amenities of existing residents. Core Strategy policies CS2 and CS19 seek to ensure that new development does not significantly impact on the amenities of adjoining or nearby residential properties. The Council's New Residential Development SPD offers further guidance and sets out interface distances between new residential properties and existing residential properties. Saved policy H7 of the Replacement UDP states that new flat developments will be permitted providing there would be no unacceptable increase in the level of noise and disturbance or loss of privacy of neighbouring properties and providing bin stores are located to protect visual amenity.

The proposed development is bound by residential properties with no. 19 Huyton Church Road (Frenchwood House) which is a two storey dwelling lying to the south west of the application site and no. 23 Huyton Church Road lying to the north east of the application site. Number 23 is a single storey bungalow. The application proposal involves a 4 and a half storey development which includes one building fronting Huyton Church Road and a rear building that extends across the rear landscaped area. The proposal includes balconies facing the rear gardens of both residential neighbouring properties and habitable room windows overlooking these gardens.

The scale, massing, height and siting of the proposed development will lead to unacceptable levels of overlooking resulting in loss of privacy for the neighbouring properties. The rear 'backland' apartment building includes balconies directly overlooking neighbouring gardens. Whilst there are issues scaling off the layout plan, the distance between the apartment building and the garden fence boundary with the neighbouring properties as well as the height and degree of projection result in a building whose scale, massing, height and siting will result in an overly dominant development that will result in loss of light as well as loss of privacy to neighbouring properties. The degree of projection of the development past the rear elevation of the neighbouring 2 storey property, together with the 'backland' apartment building will result in an almost continuous wall of development that would also be unduly dominant on this neighbour. As such, the development is considered to be unduly detrimental to the amenities of existing residents.

The siting of the front of the building close to the existing high value trees fronting Huyton Church Road appears likely to result in loss of light for future occupiers. A shade assessment was requested to assess the level of impact. However, as this has not been submitted, it is considered that there is a lack of information submitted with the application to allow the authority to assess the impact of the development on amenities of future occupiers.

The bin store has been sited to the front of the site screened to some degree from the front by vegetation. The details of the bin storage can be obtained by planning condition and would not be considered to lead to unacceptable harm to visual amenity subject to the details being submitted and approved.

A number of objections have been received on the grounds that the development would lead to increased noise and disturbance. The proposal will introduce a large number of units onto one plot thereby which does not reflect the prevailing density in the area. However, it is not considered that the proposal could be refused on noise grounds, having regard to the location of the development, nor is it considered that the proposal could lead to disturbance to a level that would constitute refusing the application on these grounds. Additionally Environmental Health did not object to the development on noise grounds subject to conditions.

In conclusion, the proposal would result in a detrimental impact on the amenity of existing residents by virtue of its scale, massing, height and siting. The development would result in a dominant addition to the site and would lead to loss of light, loss of privacy and cause unduly detrimental levels of overlooking. It is also considered that the proposal does not include adequate information in order for the LPA to assess the impact of the proposal on the amenities of future occupiers. The proposal is therefore contrary to policies CS2 and CS19 of the Core Strategy, saved policy DQ2 of the UDP and the Amended New Residential Development Supplementary Planning Document.

DESIGN AND LAYOUT

Saved policy DQ2 of the Knowsley UDP and policies CS2 and CS19 of the Local Plan Core Strategy seek to promote well designed developments. This is reiterated in the Amended New Residential Development and Design Quality in New Development SPDs. Policy CS17 of the Local Plan Core Strategy sets out that new development will be encouraged to comply with residential design standards including Building for Life and Lifetime Homes. Delivery of high-quality design is also advocated within the NPPF and the National Design Guide (2019).

The layout of the development incorporates a large apartment building fronting onto Huyton Hey Road and second apartment building to the rear. The large rear building is considered to be 'backland' development. Looking at the properties on the north west side of Huyton Hey Road there are no large rear buildings in the rear garden plots and a large outbuilding as shown within the development proposal is an uncharacteristic feature of the area and appears to be quite alien compared to other plot layouts. Rear gardens of the residential properties on Huyton Church Road are typically spacious and green and only generally include domestic scale ancillary buildings such as sheds and garages.

The substantial Victorian properties which characterise the area are set fronting the street, on a consistent building line. The historic villas that today characterise the area tend to cover no more than 1/6th of the plot as a whole whilst the proposed development covers approximately 1/4 of the plot. When considering hardstanding as well parking, refuse and cycle storage, this will further erode the amount of garden left. Large areas of hardstanding are not considered to be positive features. The garden area would fall short of the New Residential Development SPD and, together with the above, would further undermine the established layout and character of the area. The siting of the rear apartment block hard against the northwest boundary of the site further adds to the scale of harm.

It is considered that the proposed buildings are considerably out of scale with the development which characterises the conservation area in terms of footprint, width, depth, height, number of storeys and proportions and design. Whilst the Victorian villas are 3 bay-wide properties (approx. 11m wide) of 2-2.5 storeys with a small outriggers arranged as semi-detached or detached houses with quite generous proportions of door and window openings, the proposed development has a frontage that is 11 bays wide across (approx. 36m), and 4.5 storeys high (approx. 14.5m). Floor to ceiling heights of all floors within the proposal are smaller than the Victorian Villas.

The DAS describes the frontage building as providing "a sense of two separate plots" and that the two buildings resemble the scale and proportion of two detached villas" However there is no plot division created and linking 'villas' is not considered appropriate. In any case, even if the stairwell is 'discounted', each 'wing' either side of the glazed stairwell is still 5 bays wide and 4.5 storeys high which far exceeds the scale and density of development set by the Victorian development.

In terms of materials, pale brick is proposed with aluminium framed windows in pale bronze and a grey interlocking roof tile. The materials therefore do not appear to be based on a review of the materials which make a positive contribution to the historic character of the area e.g. red brick, Welsh slate and sandstones, with timber joinery. The management plan for the conservation area warns against low quality or imitation materials and encourages the use of materials matching those present on the historic buildings. The Conservation and Design Officer has raised concerns about the approach to architectural detailing and materials, for example the glazed stair core offers a somewhat institutional appearance, and the front and side facing balconies are not considered to be appropriate. There is no progression of design detailing on different floors to 'ground' the 4.5 storey building. The largely blank full height side elevations are considered to be oppressive and dominant.

As such the design, layout, appearance, siting, scale, massing, height and proportions of the proposed development are not considered to be in keeping with the character of the area. The proposal is not considered to integrate with the immediate landscape and does not preserve local distinctiveness nor does it respond or integrate positive characteristics of the immediate surroundings. The proposal is not considered to have regard to the density of the surrounding area and is considered to represent

overdevelopment of the site. The proposal is therefore contrary to policies CS2 and CS19 of the Core Strategy, the Amended Residential Development SPF, the Design Quality in New Development SPD and the NPPF.

IMPACT ON HERITAGE ASSETS

Policies CS19 and CS20 of the Local Plan Core Strategy, chapter 12 of the NPPF and Historic Environment Good Practice Advice in Planning: 2 (Historic England: 2015) all seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains. This includes non-designated heritage assets. Policies CS19 and CS20 of the Local Plan Core Strategy seek to ensure new development complements and enhances features of historic interest, preserves local distinctiveness and character through sensitive design as well as ensuring new development includes appropriate integration with the setting and immediate landscape. Policy CS20 therefore seeks to ensure that new development preserves or enhances the borough's heritage assets. Saved policy DQ5 of the UDP also seeks to preserve and enhance the character of the Conservation Area and sets out criteria that development proposals should have regard to.

Section 66(i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to show special regard to the desirability of preserving and enhancing listed buildings and their settings, in exercising their planning functions. Considerable importance and weight should be given to the desirability of preserving listed buildings and their settings.

The NPPF (at paragraphs 192 – 202) also provides guidance on the approach that should be taken in considering the impacts against the level of harm (if any) that has been identified to listed buildings and their settings. Paragraph 193 is of particular importance and in summary states that in considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be, irrespective of the scale of the potential harm. Paragraph 194 further requires that any harm to the significance of a designated heritage asset, including that arising from development within its setting should require clear and convincing justification.

The proposal is located within the Victoria Road and Huyton Church Road Conservation Area. There are also 2 Listed Buildings nearby and development has the potential to affect their settings:

- Park Hall (Grade II)
- Newlands (inc 1 Victoria Road) (Grade II)

Significance of Heritage Asset/s

The heritage statement submitted with the application provides a good assessment of the significance of the site and the conservation area. It identifies that the existing building is of no historic or architectural interest. Prospect House was built in the 1970s on a plot formed from an amalgamation of a plot laid out in the 19th Century but never developed, and part of a garden to an earlier (now demolished) 19C villa. As a result, the plot it sits in holds evidential and historic value as parts of the original divisions of the land within the planned Victorian suburb, which the conservation area is designated to protect.

The Victoria Road and Huyton Church Road Conservation Area largely retains its character as a planned late Victorian/Early 20C suburban development of semi-detached and detached villas. Huyton Park, as the area was known, was laid out from the 1860s on former enclosed agricultural fields, the boundaries of which helped define the pattern of streets and plots. Huyton Park was however slow to develop, some plots not being developed for several decades. The mature trees and regular development pattern of the Victorian estate remains clearly apparent. Development which came later is less in tune with the original Victorian ambition for the area, with properties being more diminutively proportioned, and of lesser status.

Impact of Proposals on Conservation Area (s72)

The conservation area is not a pristine example of a Victorian suburb; it has been affected by unsympathetic developments but remains a valued remnant of Huyton's heritage, and in particular the Victorian phase of development, following the coming of the railway and when the town was in its ascendancy. In order to ensure that the conservation area remains worthy of its status, very careful attention must be paid to the design of new development, which must respect and retain the features that positively characterise the area, and take opportunities for enhancement, rather than repeating features which are harmful.

The area remains primarily characterised by low-density single-family homes set in spacious and mature landscaped gardens. Flats and commercial uses are not particularly common in the conservation area. The intensive flat development proposed would be a significant departure from the established character of the area.

Scale, form and proportion

The Conservation Area Management Plan advises that "*New development generally should be no higher than existing buildings comparable within their immediate vicinity*", that "*new-buildings should match the floor-to-ceiling heights and general proportions of neighbouring historic properties*". Also that "*New development should not dominate historic buildings in the conservation area by virtue of their scale, height, massing or siting*". The sites immediately adjacent are a two storey later 20th Century property and a later 20th Century bungalow, and opposite are two, two-storey Victorian-era villas, which owing to their grand proportions of rooms and floor-ceiling heights are taller than many of the 20C properties despite having no more storeys.

It is considered that the proposed buildings are considerably out of scale with the development which characterises the conservation area i.e. the Victorian and Edwardian villas in terms of their footprint, width, depth, four and half storeys, floor-to-ceiling heights, proportions and their overall height.

The Victorian villas are 3 bay-wide properties (approx. 11m wide) of 2-2.5 storeys with a small outriggers. Arranged as semi-detached or detached houses. The proportions of door and window openings, and façades are quite generous, and reflective of the scale of interior rooms. By way of comparison, the proposed frontage building is 11 bays wide across (approx. 36m), and 4.5 storeys high at approx. 14.5m. Floor to ceiling heights of all floors within the proposal are smaller than the Victorian Villas.

The DAS describes the frontage building as providing "a sense of two separate plots" and that the two buildings resemble the scale and proportion of two detached villas" However there is no plot division created and linking 'villas' is not considered appropriate. In any case, even if the stairwell is 'discounted', each 'wing' either side of the glazed stairwell is still 5 bays wide and 4.5 storeys high which far exceeds the scale and density of development set by the Victorian development.

Layout

The layout of the site fails to relate to the plot characteristics which typify the area. The substantial Victorian properties which characterise the area are set fronting the street, on a consistent building line behind front gardens and front wall, and to the rear are generously proportioned and well planted private gardens. The historic villas that today characterise the area tend to cover no more than 1/6th of the plot as a whole. Those directly opposite this site have an even more generous setting, the primary house covering no more than 1/10th of the plot. As proposed, the buildings cover approx ¼ of the plot.

In the layout presented much of the plot is either given to either built form or hardstanding. There will be little 'garden' left once the remainder is given over to parking, refuse, and cycle storage. Where there are extensive areas of hardstanding added around buildings in the conservation area, expansive parking areas are not considered a positive feature of the area, and accordingly should not inform the design of new development proposals.

No design rationale is offered for the 'back land' building. 'Back land' development is not a feature of the area, and its construction here would undermine the established layout and character of the planned Victorian suburb. The siting of this block hard against the northwest boundary of the site further adds to the scale of harm.

The heritage statement's conclusions make limited references to the scheme as submitted, it makes a generic statement that "*Provided the buildings are designed to be set-back from the street frontage, and the scale, massing and construction materials respect the existing built form, there would be no interruption to long views, and the character and appearance of the Conservation Area would be preserved.*" However the scheme as proposed fails to achieve most of these objectives.

Materials and details

The materials are not explored in the DAS in any depth. A pale brick is proposed, and aluminium framed windows in pale bronze. A grey interlocking roof tile is proposed. The materials therefore do not appear to be based on a review of the materials which make a positive contribution to the historic character of the area e.g. red brick, Welsh slate and sandstones, with timber joinery. The management plan for the conservation area warns against low quality or imitation materials and encourages the use of materials matching those present on the historic buildings. The Conservation and Design Officer has raised concerns about the approach to architectural detailing and materials, for example the glazed stair core lends the proposal a somewhat institutional appearance, and the front and side facing balconies are not considered to be appropriate. There is no progression of design detailing on different floors to 'ground' the 4.5 storey building, with the result it looks like a scaled up house. The setback section is barely setback and is not considered to be particularly effective in reducing the sense of scale. The largely blank full height side elevations are considered to be oppressive.

While it is not necessary to create slavish copies of Victorian villas, the design details of this scheme should be developed from an assessment of the architectural details and their proportions on the villas in the conservation area, including looking at architectural characteristics, materials, the solid-to-void ratio and the scale of doors and fenestration. The proposal does not appear to have been carried out this assessment to inform the design.

Trees

It is considered that the proposal incorporates an uncomfortable relationship of the development with the trees at the front, and the proposed loss of trees to the rear, which add to the general leafiness and verdant character of the conservation area, screen the site, and provide privacy from Lathom Road and the Police Station complex. The rear trees are identified as being important in the conservation area appraisal. The space for planting and retention of trees is considered to be an important part of the character of this Conservation Area.

Views

No 3D sketches have been submitted to enable easy assessment of this, however it is envisaged that as proposed the building would have a significant presence in the streetscene despite the intended retention of frontage trees. The development would draw the eye away from the historic villas opposite (one of which is identified as a focal building in the conservation area appraisal). The development as designed would likely put pressure on the frontage trees, their loss or thinning out would exacerbate the impact on views along and from Huyton Church Road.

Demolition

The proposal to demolish Prospect House is acceptable in principle, as it is of no intrinsic interest. However, it is noted that a separate/revised application is needed to account for this aspect of the proposals.

Impact on settings of Listed Buildings (s66)

The site forms part of the Victorian suburb context of Park Hall, Newlands and 1 Victoria Road. Both listed buildings were built as part of, and concurrently with the suburb and so share a common history. No visuals have been submitted to allow for a more certain assessment of the impacts, however it is anticipated that the visual impacts would be fairly minimal/negligible. For Newlands and 1 Victoria Road there are no visual impacts due to the intervening development which means the sites are not seen or experienced in the same views, and for Park Hall the oblique views from the site and its immediate surroundings are filtered by mature trees. However, having regard to the scale of development and parking levels, this may bring an additional level of busyness and traffic to Huyton Church Road.

Conclusion

For the reasons given above, and having regard to the scale, massing, siting, density, height and design and proportions of the proposal, the development is not considered to preserve or enhance Victoria Road and Huyton Church Road Conservation Area. historic and architectural character of the Conservation Area. The proposal fails to preserve the local distinctiveness and character of this historic asset through sensitive design nor does the proposal integrate appropriately with the immediate landscape of the Conservation Area. The proposal would be harmful to views within and out of the Conservation Area and would result in a dominant addition within the street scene.

The proposal is considered to result in substantial harm to the Conservation Area due to the reasons set out above. As required by paragraphs 200-201 of the NPPF, no substantial public benefits have been demonstrated which clearly outweigh the harm to the character of the Conservation Area. The provision of additional housing (including the potential for the provision of affordable housing) and the associated construction jobs are not considered to be substantial public benefits that would outweigh the significant harm to the Conservation Area resulting from the siting, scale, massing, height and proportions of the proposal. Additionally no clear and convincing justification has been provided to justify the harm to the Conservation Area. As such, the proposal would be contrary to policy CS20 of the Core Strategy, saved policy DQ5 of the UDP and the NPPF.

ARCHAEOLOGY

Policy CS20 of the Local Plan Core Strategy requires developments to preserve or enhance the Borough's historic assets and archaeological remains. There are no heritage assets recorded on the Merseyside Historic Environment Record within the proposed development site and as such, the development is considered to have negligible archaeological potential. No further consideration of archaeology is required and the proposal is considered to comply with policy CS20 of the Local Plan Core Strategy, paragraph 199 of the NPPF and Historic Environment Good Practice Advice in Planning.

NOISE

Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured. A number of objections have been raised by local residents on the grounds that the proposal will approximately double the number of residents living on Huyton Church Road and that this will increase noise due to the number of residents occupying the site and utilising the car park.

The residential use of the site and the proposed use of the car park will increase the number of occupants and increase trips to and from the site. However, given the nature of the proposed use, it is not considered that the development could be refused on noise grounds due to the introduction of residential apartments in place of offices.

Environmental Health has not raised any objections to the proposal subject to conditions that protect residential amenity from adverse impacts from noise. It is recommended that a

condition is imposed requiring the submission of a construction management plan to protect residential amenity during the construction process. This will include the following measures:

- Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
- Methods for dust control and suppression.
- Details of wheel washing facilities including location and type.
- The areas for the storage of plant and materials.
- Location of site compound.
- Details of relevant pest control measures to be taken during both the construction and demolition phases.

It is also recommended that a condition is imposed to limit construction hours. A fixed plant condition is recommended to ensure that any plant will not be unduly harmful to residential amenity. The proposed development is near commercial land uses that can operate over a 24-hour period (police station and 24hr supermarket), and as such a scheme for the protection of the dwellings from noise and vibration from the nearby commercial units will also need to be submitted and approved by the LPA. Again this can be dealt with by condition to protect the amenity of future occupiers.

ECOLOGY

Policy CS8 of the Local Plan Core Strategy aims to ensure that new development protects and enhances biodiversity, including the protection of designated sites, priority habitats and protected and endangered species. This is consistent with the aims of the NPPF. The application is accompanied by an ecological scoping survey report in accordance with policy CS8 of the Core Strategy.

DESIGNATED SITES

The development is close to the following designed sites: Huyton Lane Wetland LWS (which is 330 north of the application site). It is considered that the proposed development is unlikely to harm the features for which the site has been designated due to the relatively small scale nature of the proposal and due to the fact that the LWS is isolated from the application site by residential development.

PROTECTED/PRIORITY SPECIES

BATS

A preliminary roost assessment bat survey of the existing office building on site has been completed as part of the Ecological Scoping Survey. This report found no evidence of bat use or presence of bats. As such, the proposal does not need to be considered against the three tests within the Habitat Regulations.

Two ash trees located on the north western site boundary were found to have some limited features which could be used by bats and were classified as having low roosting potential. In line with best practice, felling of these trees should employ soft felling techniques under supervision of a suitably qualified ecologist. This can be secured by planning condition.

Habitats on site, mainly the tree lines at the site boundaries, may provide foraging and commuting habitat for bats. These features of the site should be retained wherever possible. The current layout proposes the removal of the trees to the rear of the site, along the north west boundary, which is not supported as an amended layout could secure retention of this habitat. Having regard to the fact that the scheme proposes to remove trees that are considered to have both amenity and habitat value and having regard to the loss of these trees being entirely avoidable, if the scheme were to be amended, it is considered that the proposal could retain trees preventing their loss and providing habitat. As such, the proposal is considered to have some conflict with policy CS8 of the Core Strategy as the proposal does not seek to protect, maintain and where possible enhance biodiversity. Consideration has been given as to whether mitigation and compensation for

habitat loss is appropriate. However, given the vegetated boundaries are significant features of the historic Conservation Area landscape, having regard to the amenity value of the trees and their contribution to the character of the Conservation Area, the retention of boundary trees and space for this to occur, is given significant weight.

Lighting for the development may affect the use of any areas for foraging and a lighting condition is recommended to be imposed to prevent excessive light spill onto important habitats in line with the NPPF. Additionally a landscaping proposal condition should be imposed to promote planting of native trees and shrubs.

HEDGEHOG

Habitats on site are suitable for hedgehog which is a Priority Species. It is recommended that a condition is imposed to secure the use of reasonable avoidance measures during the construction process to ensure that there are no adverse effects on hedgehogs. Additionally, to maintain habitat connectivity for hedgehogs, gaps should be included in any new closeboard fences and this can also be secured by condition in accordance with policy CS8 of the Core Strategy.

BREEDING BIRDS

Built features and vegetation on site may provide opportunities for breeding birds. To protect breeding birds in accordance with policy CS8, it is recommended that a condition is imposed to prevent tree felling, scrub clearance, hedgerow removal or vegetation management or building works during bird breeding season, unless checked first by an experienced ecologist. It is recommended that a bird nesting box condition is also imposed to mitigate for habitat loss on the site in accordance with policy CS8 of the Core Strategy.

In summary, whilst some conditions may mitigate the impacts on habitats, protected species and designated sites as set out above, the loss of the rear boundary trees and the limited space for any replanting to the rear boundary is considered to result in avoidable loss of habitat. As such there is limited conflict with policy CS8 of the Core Strategy and the NPPF.

AIR QUALITY

Policy CS2 of the Local Plan Core Strategy seeks to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy. The Environmental Health Department has raised no objections on air quality grounds subject to the imposition of a construction management plan condition to mitigate dust emission during the construction process. It is not considered that the extent of traffic emissions would require further mitigation on air quality grounds. Subject to the above condition, the proposal is considered to comply with policy CS2 of the Local Plan Core Strategy and the NPPF.

DRAINAGE

Policies CS2 and CS24 of the Local Plan Core Strategy seek to ensure that development will not cause any unacceptable risk of flooding and that surface water will be drained in a safe and sustainable manner. This is re-iterated in the NPPF. Foul drainage is proposed to discharge to the public foul sewer, via existing shared connections if feasible. The development proposes to dispose of surface water to the main sewer. The applicant has confirmed that the ground conditions would not be suitable for the use of infiltration SUDS schemes to dispose of surface water and it is proposed to use surface storage with permeable paving and underground storage.

United Utilities has raised no objection subject to a planning condition stating that the development shall be carried out in accordance with the submitted Drainage Strategy submitted with the application. A standard surface water LLFA condition is also recommended to be imposed.

Concern has been raised by local residents in relation to this proposal. In particular, there was concern about the old existing drainage infrastructure and whether it would be able to cope with the number of units proposed, especially in regard to waste water/foul drainage. UU has not raised concerns about foul drainage and this would be dealt with under the Building Regulations. However, notwithstanding this, UU has provided guidance; this includes a note to state that if reinforcement of the water network is required to meet potential demand, that this can be a significant project and would need to be factored into the design and construction period and accounted for.

Subject to drainage conditions, the proposal is considered capable of complying with policies CS2 and CS24 of the Core Strategy and the proposal would not result in unacceptable risk of flooding and surface water can be drained in a safe sustainable manner.

CONTAMINATED LAND AND GROUND CONDITIONS

Saved Policy ENV5 of the Knowsley UDP seeks to ensure that development does not occur on contaminated sites that could place future occupiers at risk from contaminants within the ground. This policy also seeks to ensure that adjacent land occupiers, ecological systems and ground water are also not at unacceptable risk from contamination. Policy CS1 of the Local Plan Core Strategy seeks to promote sustainable use of land whilst policy CS2 seeks to minimise any negative effects on water quality and CS24 of the Local Plan Core Strategy seeks to ensure that drainage systems take into consideration ground conditions and contamination.

Policy WM9 of the Waste Local Plan requires that adequate measures are provided as part of the design for the facilitation of storage and collection of waste and recyclable material. Whilst the Highways Engineer has states that the refuse collection area does not appear to be readily accessible, amendments could be made to accommodate space for the refuse store. It is also considered that the application is capable of complying with policy WM9 of the Waste Local Plan.

The applicant has submitted a Phase 1 contaminated land report which has been reviewed by Merseyside EAS. The Phase 1 report identified the potential for contamination to exist within the made ground on site as well from the former corporation yard which was previously present in the surrounding area. The report concluded that a Phase 2 Site Investigation should be undertaken and that coal measures in the area should be considered as a potential source of ground gas. MEAS agreed with this conclusion and recommended that the additional information be secured through the standard contaminated land conditions to include: submission of a risk assessment; submission of a remediation scheme; implementation of an approved remediation Scheme and Verification Report; reporting of unexpected contamination; imposition of a Materials Management Plan condition; and a condition requiring details relating to the importation of soil/material.

Subject to the imposition of the above conditions, the proposal is considered to comply with Saved policy ENV5 of the UDP, policies CS1, CS2 and CS24 of the Local Plan Core Strategy and the NPPF.

Sustainable and Low Carbon Development

Policy CS22 of the Local Plan Core Strategy seeks to promote sustainable and low carbon development. The provision of Electric Vehicle Charing Points (EVCPs) helps to meet this policy requirement and could be secured by planning condition.

Social Value

The Council has adopted a Supplementary Planning Document 'Adding Social Value to Development' with the objective of maximising the employment and training of local people. The SPD requires applicants for major developments such as this to submit a 'Social Value Strategy' to the Council setting out how they propose to provide employment and training benefits for residents in the local area. .

Fusion 21 confirmed that the proposal would require a social value contribution of £2268 and a social value monitoring fee of £1512. This can be secured through the applicant entering

into a s106 to pay the social value contribution which they had agreed to were planning permission to be granted.

CRIME AND SECURITY

The proposed development would provide natural surveillance to the open spaces, with the apartments being designed to overlook these spaces. Overall, the proposed development would provide adequate levels of natural surveillance within the site and reduce the potential for anti-social behaviour and crime and disorder. A lighting condition to secure details on lighting of communal areas is recommended – if planning permission is granted. The Architectural Liaison Officer from Merseyside Police offered no objection and welcomed the applicant seeking the 'Secured By Design' Accreditation.

Subject to a lighting condition, it is considered that the proposal complies with saved Policy DQ2 in the Knowsley UDP; Policies CS2 and CS19 of the Local Plan; New Residential Development SPD; and Design Quality in New Development SPD in relation to crime and security matters.

DEVELOPER CONTRIBUTIONS AND VIABILITY

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider whether the requirements within the S106 are:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fair and reasonably related in scale and kind to the development.

It is considered that the contributions required as part of this application are justified and meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

Core Strategy Policies CS8, CS21 and CS27 set out the requirement for new developments to meet the infrastructure demands they create, including the requirement to provide open space contributions for new developments. This approach is supported in the Development Contributions SPD. The proposal will require a social value contribution as described above which is considered to meet the CIL tests.

The proposal would also require a greenspace contribution in accordance with the Developer Contributions SPD and policy CS21 of the Core Strategy. It is noted that the applicant has submitted a statement confirming that all greenspace contributions would be met. This is the basis on which the Council has considered the application. The applicant would need to enter into a s106 agreement to deliver the greenspace and social value contributions (as well as the 10% affordable housing provision) which would be considered CIL and policy complaint. Should an appeal be submitted, it should be noted that this decision is taken having regard to the statement submitted by the applicant confirming payment of greenspace, social value contributions and the willingness to provide policy compliant affordable housing.

CONCLUSION AND PLANNING BALANCE

The Council can demonstrate it has the required 5-year supply of housing sites coming forward and can demonstrate excellent levels of delivery of (housing land) supply in recent years. Therefore, the 'tilted balance' set out in NPPF is not required to be applied in this instance and it is a straight assessment required of the benefits and dis-benefits of the proposal and the weight attributed to each, to determine if the application should be approved.

In line with paragraph 201 of the NPPF, the proposal is considered to lead to substantial harm within the Conservation Area and the applicant has not demonstrated substantial public benefits that would be capable of outweighing this harm. As such the proposal fails the paragraph 201 test and would result in a development that would be detrimental to the

character of the Conservation Area and would fail to preserve or enhance the Conservation Area as outlined above.

The proposal would also result in a development that would be out of keeping with the character of the area, would have unduly harmful impacts on neighbour amenity and would result in a development that would not preserve or enhance the Conservation area. The application does not include sufficient information to adequately assess the proposal against the Council's policies and would be detrimental to highway safety. The proposal would result in the delivery of 10% affordable housing and would provide additional dwellings within Huyton. However, the significant environmental and social adverse impacts of the development would far outweigh any benefits to the proposed development. For the above reasons, it is therefore recommended that the development is refused on the grounds listed below.

RECOMMENDATION:

That Planning Permission be refused for the following reason(s):-

- 1) The development is detrimental to the amenity of neighbouring residents by virtue of dominance, loss of light, overlooking and loss of privacy. Furthermore insufficient evidence has been provided to demonstrate that sufficient light and outlook will be available to residents of the new development due to the proximity of mature trees. The development is therefore contrary to policies CS2 and CS19 of the Knowsley Local Plan Core Strategy (adopted 2016), Saved Policy H7 of the Replacement UDP, the Amended New Residential Development SPD and the NPPF.
- 2) The proposal does not to respond or integrate positive characteristics of the immediate surroundings nor does the proposal enhance local distinctiveness, or integrate effectively with existing development. The proposal is also not considered to enhance local character nor promote quality of place by virtue of the scale, height, massing, density, siting and the design and proportions of the proposed development. As such the proposal development is considered to represent overdevelopment of the site and is considered contrary to policies CS2 and CS19 of the Knowsley Local Plan Core Strategy (adopted 2016), the Amended New Residential Development SPD, the Design Quality in New Development SPD, the National Design Guide and the NPPF .
- 3) The proposal will result in avoidable loss of the visually important trees to the rear of the site, and provides insufficient information to demonstrate that high value Beech trees which significantly add to the character of the area at the front of the site can be protected during the construction period and would not come under undue pressure to be removed due to the proximity of living accommodation to their canopies. Furthermore the site does not provide enough space for appropriate tree replacement planting/tree retention within the site. The proposal would have an adverse effect on trees and the important contribution they make to the local area and the development is therefore contrary to policies CS2, CS19 and CS21 of the Knowsley Local Plan Core Strategy (adopted 2016) and Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan (adopted June 2006) and the NPPF, the Trees and Development SPD and the Amended New Residential Development SPD.
- 4) The application does not demonstrate that unacceptable harm would not be caused to highway safety because insufficient information has been provided to demonstrate that the traffic associated with the site and delivery and service vehicles could adequately access/egress and manoeuvre within the site. Furthermore there is insufficient parking provision within the site which would result in parking on Huyton Hey Road and surrounding areas to the detriment of safety and amenity. The proposal is therefore considered to be contrary to policies CS19 and CS7 of the Knowsley Local Plan Core Strategy (adopted 2016), Saved Policy H7 in the

Replacement Unitary Development Plan and the 'Ensuring Choice of Travel SPD and the NPPF.

- 5) The proposal is detrimental to the character and appearance of the Victoria Road and Huyton Church Road Conservation Area and fails to preserve or enhance the Victoria Road and Huyton Church Road Conservation Area by virtue of the scale, height, massing, density, siting and the design and proportions of the proposed development and having regard to the loss of trees. The proposal would be harmful to views within and out of the Conservation Area and would result in a dominant addition within the street scene. The proposal would be harmful to the distinctiveness and character of Victoria Road and Huyton Church Road Conservation Area and would not integrate within the immediate landscape.

The proposal would result in substantial harm to the Victoria Road and Huyton Church Road Conservation Area is contrary to Policies CS2 and CS20 of the Knowsley Local Plan Core Strategy (adopted 2016), Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan (adopted June 2006) and the NPPF.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
	6489_PL01	-	Site Location Plan
	AH and S106 Statement	-	Statement from applicant's agent
	6489_PL02	-	Site Layout
	6489_PL03_C2	-	Floor Plans
	6489_PL03_C3	-	Floor Plans
	6489_PL04	-	Floor Plans
	6489_PL05	-	Floor Plans
	6489_PL06	-	Floor Plans
	6489_PL07	-	Floor Plans
	6489_PL08	-	Elevations
	6489_PL09	-	Elevations
	6489_PL10	-	Elevations

Informatives

- 1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

Clare Appleyard

11 July 2022

Alan Kilroe
11 July 2022

