

REGENERATION AND ECONOMIC DEVELOPMENT DEPARTMENT

APPLICATION NO: 22/00736/FUL

APPLICANT: ForHousing

WARD AFFECTED: Page Moss

DEVELOPMENT: CHANGE OF USE OF FIRST AND SECOND FLOORS FROM 1NO. APARTMENT AND OFFICE AND STORAGE SPACE TO FORM 7 NO. DWELLINGS (USE CLASS C3) COMPRISING OF 4 NO. FLATS AND 3 NO. STUDIO APARTMENTS TOGETHER WITH ASSOCIATED WORKS

LOCATION OF SITE: 88A, 88B, 90A, 90B, 96A, 96B Liverpool Road, Huyton, Knowsley, L36 3RF

KNOWSLEY LOCAL PLAN ALLOCATION –

Town and District Centres

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

- CS2 - Development Principles
- CS3 - Housing Supply, Delivery and Distribution
- CS6 - Town Centres and Retail Strategy
- CS17 - Housing Sizes and Design Standards
- CS19 - Design Quality and Accessibility in New Development

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

- H7 - Provision of Flats, Nursing and Residential Homes, Hostels, and Housing in Multiple Occupation (HMOs)
- S2 - Diversification of Uses within existing Centres

ARTICLE 35

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

PLANNING HISTORY

An identical application was recently approved at the site on 16th September 2022 (22/00453/FUL). The only change is that the address of the previous application was incorrectly listed and is now corrected in the current application.

TECHNICAL CONSULTATIONS:

Environmental Health - No objection subject to conditions in relation to noise mitigation, plant noise, construction hours and construction management plan.

Strategic Housing - Strategic Housing are supportive of the application. The development will provide much needed affordable housing for rent meeting identified housing need.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 31 neighbours. 1 Objection has been received consisting of the following main points.

- These flats have been the subject of multiple antisocial behaviour issues over a number of years. The most recent being religiously motivated hate crime which the police are aware of. It is my belief that to expand those properties to allow for more residents would risk an increase in such behaviour and as such planning consent should be refused without strict constraints on the landlord to ensure they are held responsible for the behaviour of residents.

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for the change of use of the first and second floors to form 7 dwellings (Use Class C3) comprising of 4 flats and 3 Studio Apartments together with associated works.

POLICY CONSIDERATIONS

The application site is situated within Liverpool Road/Page Moss District Centre. Part 3 of UDP policy S2 states that housing development within existing centres is acceptable in principle provided that other uses near to the proposed residential uses would not cause significant problems in relation to noise, smells or general disturbances to future occupiers.

Paras 86 (f) and 118 (d) of the NPPF (2019) both state that planning policies and decisions should:

86 “f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”

120 “d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure);”

As a result, the use of the upper floors of the building for residential development is consistent with paras 85 and 118 of the NPPF and acceptable in principle.

The application complies with policies CS2, CS3, CS6, CS17 and CS19 of the Knowsley Core strategy and policies H7 and S2 of the Unitary Development Plan.

DESIGN, ACCESS AND CRIME PREVENTION

The design of the proposal is acceptable. There would be no external changes to the buildings. The application raises no crime or anti-social behaviour issues.

RESIDENTIAL AMENITY

Existing Residents

The proposal would not harm the amenity of neighbouring properties as there would be no external changes to the properties.

Future Occupiers

It is considered that the development would allow acceptable light and outlook for the occupiers of the proposed flats.

In relation to national space standards, several of the properties were originally below the national minimum space standards however 3 of the 4 flats now meet the national minimum space standards and the exception (Flat 3) is only 0.1 metres below the standards. This difference is not considered to be material or detrimental to residential amenity.

In relation to the studio apartments these are 28.4, 27.5 and 26.5sqm in size respectively. This amount of space would not be acceptable for a traditional flat with several rooms, however, as the apartment is a single room, this level of space is considered acceptable and consistent with residential amenity as one large room would provide a reasonable amount of space.

In relation to amenity space, there would not be dedicated amenity space for the occupiers of the flats. However, given the location of the scheme (above a ground floor shopping parade) and site constraints, it is considered that it would not be feasible to incorporate amenity space into the scheme. It is considered that any conflict in relation to amenity space requirements is outweighed by the wider benefits of bringing back unused floorspace into a beneficial use. This view is supported by NPPF Para 118 d) which specifically states that planning policies and decisions should promote and support the development of underutilised land and building for housing (including space above shops).

A noise assessment has been submitted which demonstrates that there would be no harmful noise or odour impacts on future residents. This is supported by the views of Environmental Health who have no objection subject to conditions.

As the application is for a change of use, conditions in relation to construction are unnecessary.

Overall, the application complies with Core Strategy Policy CS19.

HIGHWAY SAFETY

The proposal would not meet the council's parking standards as no additional parking spaces would be provided. However, due to the site's excellent public transport links and location within a shopping parade with immediate access to shops and services, it is considered that a departure from the council's parking standards is justified in this particular instance. NPPF para 109 states that development should only be refused on highways grounds if there would be an unacceptable impact on highways safety, or if the impacts on the road network would be severe. Given the limited number of units (7) proposed with the scheme, it is considered that the development would not cause a severe impact on highway safety. There would also be bicycle parking spaces which would partly mitigate the lack of car parking. Therefore, refusal of the application on highways grounds would not be justified. Overall, although parking standards are not met, it is considered that any harm in relation to lack of parking provision is outweighed by the wider regeneration benefits of the scheme. There would also be space for bin stores to serve the flats. Overall, the application complies with Core Strategy Policy CS7.

OTHER ISSUES

In relation to the potential for anti social behaviour or crime. There is an existing part residential use on the first and second floors already and the proposal will not result in materially greater crime impacts. There is no evidence that the development will increase the risk of crime or anti-social behaviour. The

alleged previous incidents at the property would not be a valid planning reason to refuse the scheme as this crime could happen at any property.

CONCLUSION

The proposal is acceptable in design, and would not harm the amenity of neighbouring properties or highway safety. The application complies with local 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) Noise Mitigation

No unit shall be occupied until evidence of the implementation of the noise and odour mitigation measures has been submitted to and been approved by the local planning authority. These shall be retained hereafter.

Any deviations from the recommendations in the report(s) must be agreed in writing with the local planning authority before the changes are made.

The mitigation measures are outlined in the following documents.

- Noise Impact Assessment, 90-96 Liverpool Road, Huyton, Report reference No. J003932-5730-DH-01, August 2022.
- Internal Sound Insulation Design, Liverpool Road, Report reference No. J003932-5725-DH-01, August 2022.

Reason: In order to ensure that the measures outlined in the above documents have been implemented.

- 4) Bin Storage and Cycle Parking

No part of the development hereby permitted shall be occupied until the cycle and bin storage areas (shown on plan Proposed Plans and Elevations - drawing 3 Rev D) have been erected in accordance with the approved plans. The bin and cycle storage shall be retained hereafter.

Reason: To ensure sustainable travel and appropriate bin storage.

- 5) Number of units

The number of units at the property shall remain as 4 flats and 3 self-contained apartments.

Reason: To ensure any increase or change is subject to appropriate planning assessment.

6) Fixed Plant Noise

Fixed plant and equipment associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS 4142:2014+A1:2019, Methods for Rating and Assessing Industrial and Commercial Sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: In order to avoid harmful noise impacts.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28/11/2022	001	B	Location Plan
28/11/2022	003	D	Proposed Plans and Elevations
13/02/2023	J003932-5730-DH-01		Noise Impact Assessment
13/02/2023	J003932-5725-DH-01		Internal Sound Insulation Design

Andrew Hunt¹

3 March 2022

Kevin Foster²

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