

APPLICATION NO: 22/00060/FUL **CASE OFFICER:** Lee Osborne

WARD: Prescott South **PARISH:** Whiston Town Council

LOCATION: The Holt Hotel, 285 Warrington Road, Prescott

PROPOSAL: ERECTION OF CONVENIENCE STORE (USE CLASS E) TOGETHER WITH PLANT AND BIN STORE, PLUS PUBLIC HOUSE REPLACEMENT FREEZER STORE, RELOCATION OF PUBLIC HOUSE SMOKING SHELTER AND BEER GARDEN FOLLOWING DEMOLITION OF PUB OUT-BUILDING AND RECONFIGURATION OF CAR PARK WITH VEHICULAR ACCESS FROM HOLT LANE

Site Description

The application site comprises a imposing two-storey public house (PH) building, dating from 1888, with associated (and more recent) buildings and a courtyard. The main PH building fronts Warrington Road and Holt Lane. There is a beer garden west of the main PH building adjacent to the Warrington Road boundary, with a car park to the north and north west of this. There is a singular vehicular access / egress to the car park and to the rear of the public house buildings, off Holt Lane.

Immediately to the west, north west and north of the site are semi-detached houses, with a small terrace of modern houses and an older detached house on Holt Lane opposite the site. Care centre housing is also present, close to the site and Whiston Hospital is nearby. Due to the proximity of the hospital, on-street residents' permit parking is in place.

Proposal

The application seeks planning permission for the erection of a convenience store, which falls within Use Class E (a) (Commercial, Business and Service uses), to the western part of the site, together with plant and a bin store. It is also proposed to retain the public house and relocate a smoking shelter and beer garden and provide a replacement freezer store following the demolition of the existing PH outbuildings. As part of the proposed scheme the vehicular access / egress from/onto Holt Lane would be revised and the car park, would be reduced in size (to 25 spaces) and reconfigured to accommodate the proposed works.

The proposed convenience store would have gross floor space of approximately 342 sq.m and a sales area of approximately 225 sq.m. The convenience store would be single storey with external walls of red brick and a mansard style sloping roof with a long central ridge of slate tiles. The elevations facing Warrington Road would have substantial elements of glazing, with the glazed entrance area accessed from the car park. The plant and bin store would be at the rear of the north west corner of the convenience store, adjacent to the site's boundary with 227 Warrington Road. It would be enclosed with 1.8m high close boarded timber fencing. Block paving would be installed around the northern and eastern sides of the store for pedestrian access from the car park to the entrance. Part of the Warrington Road boundary wall would

be removed to the front of the glazed part of the south west elevation of the store and a hedge is indicated on the proposed site plan where the existing wall to be removed currently sits.

The pub smoking shelter would be located to the north east of the PH, within a courtyard area and behind a wall abutting the public footpath along Holt Lane. The beer garden would be to the north east of the courtyard, with its boundary, consisting of a 1.2m high wall, shared with the vehicular access /egress for the site. The freezer store would adjoin the north west boundary of the beer garden, with the pub bin store area between the freezer store and the main PH building.

The car parking would be adjacent to the rear (north eastern) boundary shared with 1A Holt Lane and 2 Hadden Close, with the actual gable of 1A Holt Lane forming part of the boundary with the car park. 25 car parking spaces together with 2 motorbike parking spaces and 6 cycle parking spaces would be provided to serve both the store and the PH. The car park would also be shared with delivery vehicles, with the access / egress approximately 5.7m wide. The applicant has indicated that APNR cameras would be used within the car park.

Along the side (north western) boundary and the northern part of the rear (north eastern) boundary 2m high close boarded acoustic fencing would be installed. Along a stretch of the rear (north east) boundary a length of 1.8m high brick wall would be built with the remainder of the boundary unchanged.

Consultations

Highway Authority (Knowsley Council) - Object on the following grounds: -

- The proposal would generate additional traffic to an extent that would have a detrimental impact on road safety and the local road network.
- The parking is insufficient, which would lead to on-street parking resulting in road safety issues on the surrounding with streets, some with restricted parking, leading to congestion and inconvenience for residents, and issues for emergency vehicles.
- The traffic count figures are not up to date and therefore a full assessment cannot be made and as such there is a failure to show compliance with relevant policies.

Environmental Health (Knowsley Council) - Object due to noise/residential amenity impacts on neighbouring properties.

Merseyside Environmental Advisory Service - No objections in principle but request conditions.

United Utilities Water Ltd - No objections in principle but request levels details and a drainage strategy.

Merseyside Fire and Rescue Service - No objections in principle.

Whiston Town Council - Object on the following grounds:-

- Highway issues due to the busy junction.
- Visual impact on area.
- Potential increase in rubbish.
- There are already enough convenience stores in the area already.

St Helens MBC - No objections.

Representations

This application was publicised by letters sent to 164 neighbours and through the display of a site notice.

71 letters of objection have been received, including from the local MP, a Knowsley Council ward member, a Rainhill Parish Councillor, and Rainhill Parish Council (although some objectors have written more than one objection response). The objections may be summarised as follows: -

Highway Grounds

- Holt Lane and Warrington Road junction is very busy and this will make it worse.
- Holt Lane is a busy relatively narrow road further restricted by on-street parking further up and more cars using it to access the shop, plus cars exiting the site onto the busy road near a very busy traffic-lighted junction would worsen the situation.
- The increased number of cars accessing and exiting the site off and onto Holt Lane would cause highway and pedestrian safety issues.
- The congestion caused on Holt Lane by this would lead to emergency vehicles to and from the hospital and nearby nursing home to be delayed.
- There is insufficient parking within the site which will lead to parking on nearby roads including Warrington Road, and parking restricted residential roads, leading to parking issues and congestion for residents, and highway and pedestrian safety issues.
- HGV delivery vehicles accessing and leaving the site would cause highway safety issues, with the brewery delivery vehicles already causing issues.
- Traffic survey figures are inaccurate as they were undertaken when furlough was still active and so traffic was significantly lighter.
- Inconsistencies in the transport assessment.
- Stress of vehicles parking close to boundary fence and fearing cars going through it.

Amenity Issues

- Significant increase in noise from deliveries, car parking, car noise such as music from radios and car doors slamming, customers etc plus extended hours of noise as store proposed to be open 7am to 11pm would cause significant noise disturbance and loss of amenity to neighbouring residents including quieter times like early morning and evenings.
- Increase in air pollution.
- Reconfiguration of The Holt will lead to increased noise and disturbance.
- Possible increased vandalism.
- Potential increased litter.
- Rats are attracted to such stores.

Retail Issues

- There are convenience stores and Morrison's close by and Tesco supermarket is 1.2 miles away so there is no need for another store.
- This will impact on established shops and could impact on them.
- Retail assessment fails to justify site selection.

Other Points Raised

- This would impact negatively on house prices.
- Who is responsible for insurance issues if this goes ahead?

Relevant Planning History

20/00102/FUL - ERECTION OF CONVENIENCE STORE (USE CLASS A1); RETENTION OF PUBLIC HOUSE (USE CLASS A4) AND DEMOLITION OF OUTBUILDING; REPLACEMENT OF FREEZER STORE AND RESITING OF SMOKING SHELTER AND BEER GARDEN TOGETHER WITH ALTERATIONS TO CAR PARK AND VEHICULAR ACCESS FROM HOLT LANE. Withdrawn – 10.09.2020 - Withdrawn.

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
CS4 - Economy and Employment
CS6 - Town Centres and Retail Strategy
CS7 - Transport Networks
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas
ENV2 – Noise and Vibration

Article 35 Statement

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 clearly identified within the reasons for refusal, approval has not been possible.

Assessment

The relevant key issues are: -

- The principle of the development.
- Car parking and highway safety.
- Residential amenity.
- Design and appearance.

Principle of the Development

The Local Plan Proposal Map allocates the application site as part of a Primarily Residential Area and, therefore, the application must be considered against Saved Replacement UDP Policy H5 (Development within Primarily Residential Areas).

Saved Policy H5 states “New development within the primarily residential areas which is for uses appropriate to a residential area will be permitted provided that the development would not:

- a) Have an unacceptable impact on the amenity of neighbouring occupiers by reason of noise, disturbance, overlooking, visual intrusion, smells, fumes, on-street parking, or other causes; or
- b) Adversely affect the character or street scene of the area.”

The first consideration is, therefore, whether a convenience store is a use that is appropriate in a residential area, and if so, it must be established whether the use would have an acceptable impact on amenity and the character of the area.

It is acknowledged that convenience stores are found in primarily residential areas, and that they provide a local shopping facility for residents, albeit for a more limited range of goods than a larger supermarket/retail store would provide. As well as often being retail units within local shopping parades several such stores result from the conversion of vacant PH premises. Residents local to shopping parades and PHs have expectations of the traffic and noise that such generate.

Whilst in this case the proposed store is within the site of a PH, it would be sited at the north western end of the site, adjacent to a residential property (277 Warrington Road), which currently does not have a building adjacent to it. The car park would also most likely intensify in use as a consequence of the proposed development whilst being reduced in size, with the main part (of the car park) adjacent to the rear gardens and elevations of existing homes.

The increased use of the site accessed off Holt Lane, with a reduction in car parking, would be likely to lead to on-street parking, whilst the access and egress arrangements and limited space within the site could lead to difficulties in receiving deliveries and the collection of refuse for both the PH and proposed store. As such, the convenience store, and the intensification and reconfiguration of the car park for shared use – with a reduced capacity - in this context would be inappropriate to the established residential area, given the adverse highways and amenity impacts it would generate. Therefore, the proposed development is contrary to Saved Policy H5, which values and seeks to protect the environmental quality of established residential areas.

Chapter 7 in NPPF - Ensuring the vitality of town centres sets out guidance for assessing proposals for new retail developments. Paragraph 87 states “*Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not*

available (or expected to become available within a reasonable period) should out of centre sites be considered. “

Paragraph 88 in NPPF states that *“When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.”*

Policy CS4 (Economy and Employment) states that a sequential approach to site selection shall be applied, with locations in existing town, district, and local centres of an appropriate scale considered first, then edge of centre locations and then - only if suitable sites are not available - should out of centre sites, such as this site, be considered. For edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre.

Having regard to the above local planning policy, the site is in an ‘out of centre location’. Therefore, the principle of a convenience store is only acceptable if the applicant can demonstrate that there are no sites available in local centres within the retail catchment area. A ‘Retail Statement’ has been submitted, incorporating a sequential assessment and considers sites within shopping parades/areas at:

- Warrington Road.
- Scotchbarn Road.
- Byron Avenue / Milton Avenue.
- Molyneaux Drive.
- Dragon Drive.
- Rainhill Local Centre, and
- Cables Retail Park.

The sequential assessment concludes that there are no sites or properties within the areas considered that are suitable or available to accommodate the proposed store. Having carefully considered the submitted evidence, the conclusions of the sequential test are agreed with and, therefore, the proposed development complies with the requirements of Policy CS4 and guidance set out in NPPF.

The proposed development could have some impact on the vitality and viability of individual nearby stores as mentioned by objectors, because it would be a new retail use of a size likely to draw people in the vicinity who require such a store (and away from the stores they currently use). However, it is considered unlikely that the proposed store would have a significant detrimental impact on the viability and vitality of parades and centres overall.

Car Parking and Highway Safety

Warrington Road is a busy (Class A) road and provides a primary route for the large hospital nearby. Holt Lane is a busy residential road, which also connects Warrington Road and the hospital with Two Butt Lane and the nearby residential areas. Holt Lane is single lane in places due to on-street residents permit parking. At the junction of Holt Lane and Warrington Road is a set of traffic control signals. Hadden Close has on-street parking limited to residents through the permit scheme, as do other roads near the site.

Parking

25 parking spaces are proposed, 12 for the public house and 13 for the convenience shop. In accordance with Knowsley standards, a maximum of 52 parking spaces should be provided (27 for the public house and 25 for the convenience shop). The proposed provision, regardless of any justification provided, accounts for only 48% of the parking standards. Even though these are maximum standards this shortfall in provision, in the context of the nature of the surrounding area, is unacceptable.

ANPR Data for June 2021 has been provided to highlight the existing car parking levels of the PH. However, it is considered that this evidence can be given little weight as the majority of June 2021 was subject to Covid restrictions, which were only lifted on the 21 June 2021. An ANPR based enforcement system is proposed to ensure that the parking spaces designated for the PH are only utilised by patrons. However, in the interests of maximising capacity of the car park, spaces should not be limited to the specific premises / uses. Although an ANPR system could be utilised to help mitigate the public utilising the car park, there would still ultimately be little control over who could access the car park. ANPR Parking cameras typically allow for at least an hour to park. This would then still allow for unauthorised parking to occur and a further increased demand for the car park.

In the submitted parking survey figures the cars highlighted as accessing the car park before midday are not proven to be taxis and could have been that of staff for the PH. Based on the ANPR data provided, there were several instances where maximum occupancy for the car park exceeded the proposed provision of 12 for the PH. The level of vehicles entering the car park currently would be likely to remain the same, with added additional demand from the store. Although there are parking restrictions on the surrounding roads, given that there are no reasonably distanced public car parks (closest being the Whiston Hospital multi story car park – approx. 250m walk) people are likely to park on Holt Lane and Warrington Road to access the store. This would create enforcement issues for the surrounding streets and potentially impact upon response times for ambulances and the neighbouring Whiston Hospital.

The case studies provided (Trethomas Tesco and Marston Mortaine Co-op) are considered not to be reflective of this site. They are not located close to a busy hospital and blue route or in an area subject to extensive Traffic Regulations Orders. Although the surveys provided highlight capacity in the respective car parks, there is space on the surrounding roads to these sites which could legally and likely comfortably accommodate parking. Not everyone driving to those sites would be required to park internally, whereas everyone driving to this application store would be required too (and as such the car park would have a greater demand).

It is stated that there are 2 full-time and 4 part-time existing staff, presumably working in the PH. It is further stated that there would be an additional 13 full-time and 12 part-time staff, which would presumably be employees working in the store. Shift patterns have not been given and no indication given of how staff vehicles would be accommodated. Even assuming that a quarter of total staff are on the site at any one time that could still result in a demand for the parking of 6 vehicles. Therefore, as a result, the actual capacity of the car park assessed is almost certainly lower than outlined.

Traffic Impact

The traffic flow diagrams provided in the applicant's Transport Assessment are of poor quality and legibility. The traffic surveys undertaken are not agreed; the surveys were completed on the 21 May 2021. According to the government website and the Covid-19 response spring 2021 and step 3 (brought into effect - 17 May 2021):

'gatherings of over 30 people will remain illegal. Indoors, the Rule of 6 or 2 households will apply'

'In all sectors, COVID-Secure guidance will remain in place and businesses may not cater for groups bigger than the legal limits. Indoor hospitality will reopen - and as in Step 2, venues will not have to serve a substantial meal with alcoholic drinks; nor will there be a curfew. Customers will, however, have to order, eat and drink while

seated.'

Regarding the above, it can be expected that patronage for the PH was lower in May 2021 than currently. Guidance for home working was also still in place when the surveys were undertaken, so it can be expected that the surveys captured a lower level of traffic than existing levels.

For the surveys to have creditability they would have needed to be undertaken for both a weekend and weekday and on a 'neutral' month during term time within conditions of normality, not when there was restricted patronage and movement. Whilst the trip rates derived are acceptable, no Saturday assessment (based on the retail elements involved on the site) were given. As such, the assessment given is not considered robust.

As the surveys are not accepted and did not include a Saturday count, the modelling completed is also not accepted as pertinent to the proposal.

No net gain of traffic regarding the PH has been stated. This is technically correct, given the existing pub arrivals / departures will likely remain the same. However, the trips still exist, and these appear not to have been included at the site access. As such, a much lower demand at the site access has been determined. The PH will be busier now that Covid restrictions are fully lifted. The surveys undertaken have almost certainly underestimated actual demand, given they were completed under covid restrictions.

It is stated that pedestrian crossing usage was reviewed for the junctions. Based on this assessment, an assumption has been made to run the pedestrian stage every alternate cycle. No proof for this has been given. No information for crossing usage has been given.

Access / Egress

The visibility splay is incorrect and, based on measured speeds, a visibility splay of 27m / 28m is required with the indicated splay of splay being too short. Cars leaving the site would need to manoeuvre over the hatched area of the disabled persons parking space if there was also a car accessing the site at the same time, which is unacceptable.

Deliveries / Refuse Collection

Whilst the applicant has said that both premises would have refuse collection undertaken by a private company and, therefore, vehicles could be used suitable for the site by the company or that vehicle size could be limited by condition. Nevertheless, limiting vehicle size through condition can be difficult to enforce and it is considered that most refuse vehicles that could be used would be greater in size than the currently swept pathed (approximately 8.0m length) vehicle. It is considered more likely, given the now significantly reduced space internally, that refuse vehicles may attempt to reverse from the main carriageway. Even if the refuse vehicles were able to utilise the loading bay to turn, they would still exceed the maximum 12m reversing distance (stated by British Standards BS5906). Should they reverse from the carriageway, then the 12m reversing would be significantly exceeded.

It has been evidenced that HGV deliveries for the PH currently stop on the double yellow lines along Holt Lane, blocking the existing PH access. If the store were operational, then the HGV deliveries would need to contend with retail store traffic. So as not to block people exiting or accessing the site, deliveries would need to take place outside of store opening times, i.e., between 11pm and 7am. Deliveries for the

PH would be regular (likely weekly) and deliveries on such a frequency and at such unsociable hours would likely result in excessive disturbance to neighbouring residents.

No other alternative loading arrangements would be appropriate. Should the HGV be positioned closer to the Warrington Road junction (to not block the access and allow deliveries during store hours), then the vehicle would protrude over the pedestrian crossing into the junction, which is a safety issue. In addition, a singular southbound vehicle stopped at the signals on Holt Lane, in situ with the stopped delivery vehicles new loading location, would block the junction to any traffic attempting to access Holt Lane and would lead to blocking back onto Warrington Road. Should the HGV delivery vehicles be able to access the site and turn around (considered unlikely) then it is evident (given the current swept path of a circa 8.0m length vehicle) that the HGV would be unable to egress the site safely without significant overlap with the eastern footways on Holt Lane (and possible collision with opposing residential properties) and likely extensive protrusion into the north bound lane (a failure to line up with the signal stop lines). If the HGV was able to access the site, then it is likely that the entire car park would need to be emptied of vehicles so that the HGV could perform a 3-point turn (difficult to manage and enforce other than outside of store hours).

Road Safety Audit

With the number of concerns and points raised by Highways Engineers, the applicant's agent stated that these were unbalanced as they find fault with the scheme - even though it has been approved by an independent Road Safety Audit. However, the Road Safety Audit completed is 'Stage 1' and it only considers the scheme in a preliminary capacity; it does not consider the finer details of operation, such as; the location of cycle stores within the loading bay itself, the reversing distance required of refuse vehicles being in excess of British Standards BS5906 and the (conservative size) servicing vehicle very much over running the opposing narrow pavement where pedestrians would be walking. The comments made were certainly not unbalanced, but instead highlighted genuine concerns regarding the development proposed.

In conclusion, there are concerns and issues still arising from the proposed scheme. These are as follows: -

- Lack of proof to show that left turning vehicles can egress the site without overriding into the opposing carriageway.
- Exiting servicing vehicles clearly overlap substantially with the opposing footway for an extended length.
- Risk of larger vehicles blocking northbound traffic due to failure to line up properly with the signal stop lines.
- The loading bay is located centrally within the car park, adjacent to disabled bays with cycle storage and motorcycle storage located within the loading bay itself. Visibility, particularly to the nearside of larger vehicles, can be limited. Given that HGVs will be required to manoeuvre and reverse within this bay, its location and surroundings are a concern.
- The car park layout and location of bin stores makes it unlikely that the maximum 12m reversing distance stated by national standards (British Standards BS5906) could be adhered to.
- Issues regarding HGV deliveries for the PH as mentioned above.
- Substandard parking numbers likely resulting in on-street parking, which would in turn disrupt traffic and potentially delay ambulance response times.

Residential Amenity

A Noise Impact Assessment report was submitted by the applicant and as a consequence a 2m high close boarded acoustic fence is proposed to parts of the site boundary. Comments were raised with regards aspects of the noise report, and comments received in response. However, it is still considered that even taking into account the acoustic fence proposed and the noise report and subsequent comments, the proposal would cause significant noise disturbance for residents, which would have a significantly detrimental impact on the residential amenity of those residents.

Whilst noise from fixed plant can generally be mitigated against to an acceptable level (although this still needs to be proved), the noise from deliveries, bin collections, customers and their vehicles, from 7am to 11pm seven days a week, would increase the noise in the surrounding environment to a degree that would have a significant unwarranted impact on the amenity of surrounding residents and their quality of life.

In addition, the intensification of the use of the car park, and its reconfiguration, with the north eastern boundary of the site forming the main focus for parking, would also seriously impact by virtue of car noise from parking, radios, banging doors etc. on the amenities of 1A Holt Lane and 2 Hadden Close. In particular, the gable of 1A Holt Lane forms the boundary with the car park (albeit a narrow buffer area is proposed to be marked on), so car park noise would have even greater impact.

Furthermore, the relocation of the beer garden to be adjacent to the site access would bring it into closer proximity to houses; 1A Holt Lane, on the opposite side of the access together with the adjoining house 1 Hadden Close, plus the terrace of modern houses on the opposite side of Holt Lane together with the next door detached house, would be closest to the relocated beer garden. The potential noise from the beer garden, particularly in the summer months, would impact on the amenities of these properties, especially in the evening when windows may be open. This noise, together with the intensification of the car park usage from 7am to 11pm from customers of the store (and later in the day the pub) would detrimentally impact on the amenities of the properties to an unacceptable degree.

In short, the proposed store open 7am to 11pm 7 days a week, smaller reconfigured car park but with intensified use, and relocation of the pub beer garden would have significant noise impacts on the neighbouring properties and cause unacceptable loss of residential amenity and reduction in quality of life as a result.

Design and Appearance

The design of the store and proposed materials is acceptable and would not be detrimental to residential amenity or harm the street scene. The appearance and design of the store itself is not the cause of the concerns of the local planning authority, or from the comments received from local residents. The design and materials as a separate issue rather than one part of an overall scheme would be acceptable.

Conclusion

The proposed scheme would be detrimental to the area and to local residents for the following reasons: -

- Inadequate car parking, leading to on-street parking and possible disruption

to blue light routes.

- Unsuitable access and delivery/service arrangements, leading to road and pedestrian safety issues.
- Inadequate traffic count and survey data.
- Increased noise from the proposed store and intensification of use of a reduced area of car park would be detrimental to residential amenity to an unacceptable level.
- Relocation of a beer garden would increase noise levels to neighbouring properties which, with the increased noise from the intensified uses of the car park, would be significantly detrimental to residential amenity particularly during summer months.

As such the application fails to comply with national and local planning policies and is recommended for refusal.

Recommendation

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

- 1) The proposed development would, due to insufficient on-site car parking provision, lead to increased levels of on-street car parking in the vicinity of the site. This would be detrimental to highway safety, delay emergency vehicle response times and lead to congestion and inconvenience for local residents of roads in the vicinity of the site. As such, the proposal would be contrary to Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.
- 2) The proposed development fails to provide suitable access, egress or servicing arrangements for delivery and service vehicles. Such an arrangement is detrimental to highway and pedestrian safety. As such, the proposal would be contrary to Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.
- 3) The application fails to provide up to date vehicle traffic count information and an appropriate assessment cannot be made as a result. Consequently, the application fails to prove compliance with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.
- 4) The proposed convenience store open 7am to 11pm seven days a week, together with the reconfiguration and intensified use of the car park, would, by virtue of the noise generated from customer usage, deliveries, bin collections, tannoy systems, cars parking and reversing, car doors slamming, car radios, deliveries, refuse collection and general comings and goings cause significant noise disturbance to residents of neighbouring properties and be detrimental to their residential amenities to an unacceptable degree. As such, the application conflicts with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) The proposed relocation of the public house beer garden would by virtue of its proximity to existing housing at 1A Holt Lane, 1 Hadden Close, 2-6 Holt Lane and 16 Holt Lane, lead to noise disturbance to those properties, particularly during the late spring/summer/early autumn months when windows could reasonably be expected to be open and, therefore, have a detrimental impact on the residential amenities that the occupiers of those properties enjoy. This, together with the intensified use of the car park from 7am when the proposed store would open through to 11pm when it would close, would cumulatively have an unacceptable noise impact on those properties during the specified months and, therefore, an unacceptable impact on the residential amenities that the occupiers of those properties may reasonably expect to enjoy. As such, the application conflicts with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

Signed Case Officer:

**Signed Authorising
Officer:**

Mark Cawood

Date:

5 October 2022

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

Appendix 1 – Site Photographs