

<u>APPLICATION NO:</u>	21/00789/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Prescot Town Council
<u>LOCATION:</u>	Whitakers Garden Centre, Liverpool Road, Prescot		
<u>PROPOSAL:</u>	RETENTION OF TEMPORARY SALES AREA INCLUDING CAR PARKING, LIGHTING BOLLARDS/UPLIGHTER FLOODLIGHTS, LANDSCAPING AND BOUNDARY TREATMENTS TOGETHER WITH THE INSTALLATION OF ASSOCIATED SIGNAGE		

Site Description

The application site sits within the residential housing estate under construction on the former Whitaker's Garden Centre, Prescot. The site consists of three differing house types and their curtilage.

Proposal

The application is to retain a sales area associated with the larger housing development. The site consists of three houses, one detached and one pair of semi-detached houses, and the associated curtilages which have been temporarily laid out to create a sales area. One of the houses is used as the sales office and the others set out as show homes. The car parking area is on the south side of the site, with four bays and one disabled persons parking space. The car parking area would ordinarily fall within garden areas. Illuminated bollards and floodlights have also been installed. There is an existing application for the retention of signage associated with the housing development and sales area (21/00790/FUL).

Consultations

Prescot Town Council - Object on the basis that the floodlights would be detrimental to the visual amenities of neighbouring properties.

Representations

This application has been publicised by letters sent to 21 neighbours. No representations received.

Relevant Planning History

19/00684/NMA - NON-MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 19/00684/FUL (ERECTION OF 227 NO. DWELLINGS TOGETHER WITH VEHICULAR/PEDESTRIAN ACCESSES, LANDSCAPING & ASSOCIATED INFRASTRUCTURE) TO ALLOW FOR AMENDMENTS TO THE APPROVED PLANS INCLUDING ADDITIONAL TREE PLANTING AND REVISED BRICK TYPES. Awaiting decision.

21/00017/ADV - INSTALLATION OF 4 NO. GATEWAY FLAG SIGNS AND 1 NO. V-STACK SIGN. Granted: 13.05.2021.

19/00684/FUL - ERECTION OF 227 NO. DWELLINGS TOGETHER WITH VEHICULAR/PEDESTRIAN ACCESSES, LANDSCAPING & ASSOCIATED INFRASTRUCTURE. Granted: 18.12.2020.

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

CS19 - Design Quality and Accessibility in New Development

Article 35 Statement

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.

Assessment

The overall Whitaker's Garden Centre site has planning permission for housing development and therefore the rearrangement of 3 plots and the addition of temporary items such as the temporary floodlights and small parking area to provide a sales area for the dwellings of the residential estate built is acceptable in principle.

Visual Amenity

The sales area is satisfactory in layout and does not detract from the area visually and would not detract when the estate is completed. The development is acceptable in terms of visual amenity.

The application is therefore compliant with Policies CS2 and Cs19 of the Core

Strategy.

Highways Considerations

The development provides a small parking area for sales staff and for people attending the sale office of four spaces and one disabled person's space. This is considered acceptable given that there are two sales offices, both within one of the show homes.

No other highways issues are raised and as such it is considered that the application complies with Policy CS2 of the Core Strategy.

Residential Amenity

Prescot Town Council have raised objection on the basis that the floodlights would be detrimental to the amenity of neighbouring properties. No objections have been received from the occupiers of the neighbouring properties notified of the proposal and there have been no complaints received regarding the operation of the floodlights. With regard the occupiers of neighbouring properties within the residential development the floodlights are a temporary feature to be removed when the sales area is no longer required and the sales area and show homes revert to individual occupied plots and as such is not considered an issue with regard the new dwellings. However, to ensure that the floodlights do not become an issue with regard to amenity it is considered prudent to attach a condition ensuring that no significant light spillage occurs onto neighbouring plots and properties. The sales area is to be used during the housing development construction and will revert to housing when that is completed. As such comings and goings to the sales area does not cause disturbance issues and anyhow such would only occur during office hours and would be relatively low key. As such the sales area would not cause noise and disturbance issues for neighbouring plots even if they are occupied and the sales area operational.

It is considered that the application complies with Policies CS2 and CS19 of the Core Strategy.

Conclusion

The application is for a temporary sales area made up of some of the plots of the wider residential development and is of a type often found within such developments. The sales area is not detrimental to the amenities of the area and raises no highway issues. The application complies with planning policies and is therefore recommended for approval subject to conditions.

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 1) 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.

- 2) The floodlights hereby permitted shall be angled such that no light spillage shall occur to neighbouring properties or their curtilages.

Reason: For the avoidance of doubt, in the interests of amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 3) The sales area hereby permitted shall be reinstated to the approved residential plots permitted under planning permission 19/00684/FUL within one month following the sale of the last house of the housing development other than the three plots that make up the site area of this planning application or reinstated at an earlier time than this if deemed appropriate.

Reason: In the interests of residential amenity and to ensure that the overall design ethos of the residential housing development is maintained and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07/10/2021	LPE-07	-	Location Plan
07/10/2021	PA34 GOSFORD_PL_2	-	Gosford House Type Elevations
07/10/2021	PA42 LYDFORD_PL_3	-	Lydford House Type Elevations
07/10/2021	SALES OFFICE - PA34 GOSFORD_PL1	-	Sales Office Gosford House Type Floor Plans
07/10/2021	SALES OFFICE - PA34 GOSFORD_PL2	-	Sales Office Gosford House Type Elevations
07/10/2021	LPE-03	-	Sales Area Signage Plan
07/10/2021	LPE-01	-	Sales Area Site Plan
07/10/2021	PA34 GOSFORD_PL_1	-	Gosford House Type Floor Plans
07/10/2021	PA42 LYDFORD_PL_1	-	Lydford House Type Floor Plans

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: Alan Kilroe

Date: 22/3/23

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

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Appendix 1 – Site Photographs