

<u>APPLICATION NO:</u>	22/00312/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	St Michaels	<u>PARISH:</u>	
<u>LOCATION:</u>	Culleys, Primrose Drive, Huyton, Knowsley, L36 8DW		
<u>PROPOSAL:</u>	ERECTION OF A TWO STOREY SIDE EXTENSION FOR USE AS A SPORTS WELLBEING STUDIO		

Site Description

The site occupies a prominent position along Primrose Drive and is contained by 1.8m tall close boarded fencing to its eastern and southern boundaries, beyond which is Wastle Bridge Park and a grass verge respectively. The site is contained by Wastle Bridge Road which provides access on to the site beyond which is residential development.

The host property currently comprises of a mixed-use site incorporating a barbershop and café.

Proposal

The proposed development relates to the erection of a two-storey side extension to the property located at Culleys, Primrose Drive, Huyton.

The proposed development would provide an additional use located on site in the form of a wellbeing fitness centre incorporating 1 studio at ground floor level together with changing rooms, 2 no. W/C and a reception area. A further studio room and equipment store would be located at the first-floor level.

The proposed development would project forward 1.35m forward the principal elevation of the existing property, spanning a width of 12.35m and a total depth of 8.72m.

The extension would be served by a gable roof and measures 5.47m – 5.56m at the eaves with a total height of 8.44m and would be .41m above the existing roof height of the host property.

Consultations

Environmental Health - No objection to the principal of development but requests a condition attached relating to construction hours.

Highways – No objection to the principal of development subject to conditions.

Tree Officer – No objection to principal of development.

Representations

This application has been publicised by letters sent to 151 neighbours. No representations have been received.

Planning History

- 97/00370/APP – Erection of two storey extension to provide an enlarged ground floor area with offices above. Granted 5th June 2000.
- Prior notification application for the change of use of former barber shop (Use Class A1) to Café (Use Class A3). Prior approval required and granted on 31st May 2016.

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.

CS2 - Development Principles
CS4 – Economy and Employment
CS7 – Transport Networks
CS19 - Design Quality and Accessibility in New Development
H5 – Development within Primarily Residential Areas

The proposed development is identified as land located within a Primarily Residential Area in the adopted Development Plan. However, the host property is an existing business serving the local community and an extension providing additional services to members of the public is considered acceptable in principle, subject to compliance with local planning policy and guidance listed above.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2, CS7 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policy H5 of the Unitary Development Plan (2006), together with the Householder Development SPD (2016).

These policies and guidance require that new development demonstrates a high standard of design, which does not adversely affect the character of the property or street scene; maintains a good standard of amenity for all existing and future occupants; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact; and that adequate parking and garden space would remain for use by residents of the extended property.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Sequential Test

The application proposal is for a town centre use within an out of town centre location.

Policy CS4 of the Knowsley Local Plan (2016) sets out the Local Planning Authority's approach to facilitate employment development of the right type and in the right location to support the Council's employment priorities. It requires new retail and other main town centre uses to be primarily located within existing town centres in accordance with Policy CS6.

Policy CS6 therefore requires a sequential approach to be undertaken with locations in existing town, district and local centres of appropriate scale being considered first, then edge of centre locations and then only if suitable sites are not available should out of centre locations be considered. The Planning Practice Guidance (PPG) advises that the application of the test will need to be proportionate and appropriate for the given proposal (ID reference: 2b-011-20190722).

The applicant has submitted a sequential test carried out via a desk top survey. It identifies 3 commercial units within a 3 mile radius which are the only available units at the time of the assessment. The assessment considers no results were found for suitable commercial units within local district centres and consequently out of centre locations have been reviewed for the sequential test. These sites are considered commensurate with the application site and form an appropriate basis for the sequential test assessment.

All sites are currently advertised as vacant and are therefore considered available for development. All sites are located within Knowsley Industrial Estate but have been discounted in favour of the application site due a variety of reasons including the need for costly conversion, limited parking provision and limited internal space to accommodate the proposed use.

However, paragraph 88 of the Framework 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. The Local Planning Authority advised the applicant to update the sequential test to provide an assessment of sites within Huyton Town Centre which was considered a more appropriate basis to the sequential approach and forms an addendum to original desk top survey. A further three sites are considered, all of which are located within Huyton Town Centre and are considered available within a prime location. However, two sites were considered inappropriate for the development due to the advertise ground rent of £30,000 and £60,000 per annum which would render the business unviable. Unit 17 Cavendish Walk was considered a sequentially preferable location but due to its size could not accommodate the proposed development and again unviable due to long term lease

agreement.

The application site offers the opportunity for a health and well being studio offering a more personalised and bespoke 1-2-1 services and is located in easily accessible location by public transport with direct bus links located directly outside the application property. Clients are able to cycle and drive to the studio and is within walking distance to nearby residential estates, beyond which is Huyton Town Centre located less than 1km away and is closer to the nearest town centre than the alternative sites considered.

It is considered that the applicant has adequately addressed the sequential test and no objection is raised in principle to the proposal. Given the scale of the scheme and that a sequentially preferable site cannot be found in a town centre it is considered that the proposed health and well being studio is appropriate and would provide employment opportunities together with increasing opportunities for social wellbeing in the locality.

Design

The host property is brick facing to its principal, rear and side elevations and comprises of white UPVC windows to the first floor as well as steel security doors and windows affixed to the openings at ground floor level. The existing property is served by a gable roof measuring 5.48m at the eaves and 8m at its highest point.

The proposed development would comprise of grey UPVC windows and fascias throughout the existing and proposed development together with grey interlocking roof tiles. In addition, the property will be rendered in white which will provide a modern appearance with the exception of a memorial painting which is to be retained. Given that the memorial depicts local sporting figures it is considered appropriate in terms of its retention in context of the sports and wellbeing studio being proposed.

The gable roof is to be extended and would sit at the same height at the eaves as the existing roof. As originally submitted, the application did not include windows at first floor level and would have constituted poor design. The applicant has since submitted revised proposals including revisions to the existing windows of the host property. However, due to need for windows at the first floor at the principal elevation this has resulted in increasing the overall height of the roof by .44m to accommodate finished floor levels and to ensure that the windows match the height of openings at the existing property. Whilst it would have been preferred that the roof remained the same height as the host property, on balance, the increase in height is marginal and is considered acceptable in this instance to ensure good design principles are adhered to and to ensure a well designed frontage across the principal elevation is retained.

The roof would include 4 Velux windows equally spaced along the principal elevation, but it is not considered that this would have a dominate effect on the design of the proposed development.

As originally submitted the proposals included a blank gable wall. As the gable faces a prominent and busy road junction it was considered necessary that the design of the proposals was amended to ensure good design principles are adhered to. The Local Planning Authority has worked positively with the application to ensure this, and the proposals now include small signage together with two glazed panels at ground floor level and an apex window at first floor level. The proposed amendments will provide an improvement to what was previously a blank gable wall and will sit well within the street scene and are considered acceptable in terms of design.

Overall, the scale of the built form is considered acceptable with regards to the character of the area and is therefore acceptable with regards to design.

Residential Amenity

Knowsley Heights, Primrose Drive

Knowsley Heights is a high-rise tower block. It is separated from the host property by Primrose Drive beyond which is a steeply inclining grass verge which includes interspersed trees within. Given Knowsley Height's elevated position and significant separation distance between the properties it is not considered that the proposed development would have adverse impacts to residential amenity.

1 Wastle Bridge Road

This property is located to the rear of the host property fronting Wastle Bridge Park. Due to the existing vegetation located on the park and the location of the proposed development to the far side of the host property it is not considered that this property would be adversely affected by the development.

Whilst the properties located further along Wastle Bridge Road will have more visible views of the side extension, given the distance of the proposed development due to the separation of the park it is not considered that these properties would be adversely affected in terms of residential amenity.

2 Primrose Drive

This property is located on the junction of Primrose Drive/Wastle Bridge Road occupying a corner plot. Given that the proposed development is located on the far side of the host property it would largely be obscured by the existing host property. As such, no adverse effects to residential amenity would occur in relation to this property.

Highways and operating hours

As originally submitted the Highways Authority raised objection to the principle of development due to the number of car parking spaces to accommodate the future use. It was previously advised that due to the existing business use on site which includes a café/barbershop that the existing car parking provision was sufficient to accommodate the current uses found on site. The proposed development would therefore require additional parking provision to accommodate the existing use.

Through ongoing discussions during the course of this planning application, the applicant has agreed to amend the operation hours relating to the individual businesses in order to alleviate parking provision on site. The hours suggested are as followed:

- Café (10m2 of seating): Tuesday – Friday: 09.00 – 14.00
- Barbers: Tuesday – Saturday: 0900 – 17.30
- Proposed Studio by appointment only (maximum of 2 personal trainers with 1 client each at a time): Sunday – Saturday: 06:00 – 08.00/18.00 – 21.00

Based upon the above times, it would mean that there would be a reduced level of demand for parking facilities which will help alleviate parking provision on site. The

Highways Authority consider this to be acceptable subject to conditions controlling the operating hours for each of the businesses and number of staff/clients, highways have removed the objection to the proposed development subject to appropriate conditions associated with the grant of planning permission.

Accordingly, it is considered that subject to conditions attached to this report that there would be no adverse impacts to highways safety associated with the proposed development.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission will 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) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) The development hereby approved shall not be occupied until an application for the change of operating hours relating to the individual businesses located on site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan (adopted June 2006).

- 5) No work for the construction of these developments, including demolition and deliveries to and from the site shall take place on the site, except between the hours:

08.00 – 18.00 Monday to Friday; and

08.00 – 13.00 on Saturdays;

Unless otherwise agreed in writing with the Local Planning Authority. In particular, no work should be carried out on Sundays or officially recognised public holidays without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan (adopted June 2006).

- 6) The proposed development shall not be brought into use until precise scheme detail of the proposed cycle storage highlighted on Drawing 01583/SK/02 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed before any part of the development has been brought into use. For the avoidance of doubt, cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles securely and to comply with Policy CS7 of the Core Strategy (adopted January 2016).

- 7) Prior to commencement of development a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall include but not limited to the following:
- a. Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles.
 - b. Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a Banksman.
 - c. Construction staff parking arrangements.
 - d. Control of transfer of mud out of the site – details of wheel washing facilities including location and type.
 - e. Methods for dust control and suppression.
 - f. A programme of works including phasing, if applicable.
 - g. Adequate provision for addressing any abnormal wear and tear to the highway, if acceptable.

All site works shall then be carried out in accordance with the approved Plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan (adopted June 2006) and Policy CS2 of the Knowsley Core Strategy (adopted January 2016).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24.05.2022	01583/EX/01	REV A	EXISTING SITE BLOCK PLAN
24.05.2022	01583/SK/01		EXISTING AND PROPOSED PLANS & ELEVATIONS
24.05.2022	01583/SK/02		PROPOSED SITE BLOCK PLAN
23.09.2022	01583	REV A	TREE SURVEY
23.09.2022	01583-SK-02	REV B	PROPOSED SITE BLOCK PLAN

Signed Case Officer: John Fleming

Signed Authorising Officer: Alan Kilroe

Date: 17 January 2023

INFORMATIVES

HIGHWAYS INFORMATIVE

 Knowsley Council	Highway Observations Memo Transportation and Traffic Services
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Date:	23 rd September 2022
To:	Planning Services
Planning App. No:	22/00312/FUL
Proposal:	ERECTION OF A TWO STOREY SIDE EXTENSION FOR USE AS A SPORTS WELLBEING STUDIO
Location:	Culleys , Primrose Drive, Huyton, Knowsley, L36 8DW

☒ No Highway Objection – subject to conditions

The agent has clarified the proposed opening hours of the businesses which would be operating from the site, and the maximum number of clients/staff which would be in attendance for each element (see extract from Agent's email below). Based upon this, and subject to conditions controlling both the times and the number of staff and customers, highways would have no objection to the proposed development. Highways also request that the condition be worded to ensure that the public floor area of the café be restricted to the 10m² as identified by the agent.

- *Café (10m² of seating): Tue – Fri = 09:00 – 14:00*
- *Barber, single chair with 1 barber by appointment only = Tuesday – Saturday 09:00 – 17:30*
- *Proposed Pt Studio by appointment only, maximum of 2 personal trainers with 1 client each at a time: 7 Days 06:00 – 08:00 / 18:00 – 21:00*

Any increased utilisation of the development, beyond that set out above, would require a Traffic Regulation Order to be introduced to prevent parking on Primrose Drive, which should be secured at the time of an application to vary the condition.

Proposed Conditions

- 1) Restricted hours/capacity condition
- 2) The proposed development shall not be brought into use until precise scheme detail of the proposed cycle storage highlighted on Drawing 01583/SK/02 has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as agreed before any part of the

development has been brought into use. For the avoidance of doubt, cycle parking must be covered and offer a means to secure the cycles. Reason: To ensure that adequate provision is made for parking cycles securely and to comply with Policy CS7 of the Core Strategy, adopted January 2016

- 3) Prior to commencement of development a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall include but not be limited to the following:
- a. Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles
 - b. Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a Banksman.
 - c. Construction staff parking arrangements
 - d. Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
 - e. Methods for dust control and suppression.
 - f. A programme of works including phasing, if applicable.
 - g. Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.

All site works shall then be carried out in accordance with the approved Plan unless otherwise agreed in writing beforehand with the Local Planning Authority Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

Informatives

This permission does not entitle the developer to obstruct or carry out works within the Adopted Highway or across a Public Right of Way whatsoever. Any proposed temporary closure or works affecting either will require consent which must be obtained from the Streetworks team. Please email NRSWA.TeamDRES@knowsley.gov.uk for further information.

COAL INFORMATIVE

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Appendix 1 – Site Photographs



