

Regeneration and Economic Development Department

APPLICATION NO: 22/00047/FUL

APPLICANT: LITE

WARD AFFECTED: St Michael's

DEVELOPMENT: INSTALLATION OF EXTERNAL LIGHTS ON THE SOUTH ELEVATION OF THE CHURCH AND LIGHTS WITHIN ITS CURTILAGE

LOCATION OF SITE: St Michaels Church Hall , Blue Bell Lane, Huyton, L36 7SA

KNOWSLEY LOCAL PLAN ALLOCATION:

Article 4s - Huyton Church Article IV

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

Conservation Areas - Huyton Church Conservation Area

Conservation Areas - St Michael's Church Conservation Area

Strategic Road Network - Strategic Road Network

Strategic Road Network - Strategic Road Network

Primary Residential Development - Primary Residential Development

TPO - Areas, Groups, Woods - TPO - Areas, Groups, Woods: 75/00002/TPO

RELEVANT POLICIES

National Planning Policy Framework

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

H5 - Development within Primarily Residential Areas

DQ 5 – Development in Conservation Areas

ENV 3 – Light pollution

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development

CS1 – Spatial Strategy for Knowsley

CS2 - Development Principles

CS20 – Managing the Borough's Historic Environment

Supplementary Planning Documents

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

TECHNICAL CONSULTATIONS:

Highways: No objection, subject to a condition to ensure no glare on the highway.

Environmental Health: No objections, subject to a condition should complaints regarding light spillage be received.

Conservation & Design Officer: No objections

Historic England: No advice offered.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 14 neighbours, the erection of three site notices and a notice in the local press. No representations have been received as a result of the publicity given to the application.

ARTICLE 35:

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.

SITE AND PROPOSAL:

The site subject of this application is St Michael's Church, Blue Bell Lane, Huyton. It sits just outside of the Town Centre and within St Michael's Conservation Area. The Church is also a Grade II* Listed building. The Church sits high in its setting at the junction of Archway Road and Blue Bell Lane, making it a very prominent building in a very prominent location. The Church is a landmark building.

Knowsley is the LCR Borough of Culture for 2022 the application states that part of that celebration is the proposal to illuminate St Michael's Church which is the subject of this planning application.

The application seeks permission for the installation of four ground lights and a series of six lights fixed to the building. The ground and building lights would illuminate the south elevation of the Church and the tower.

Listed Building Consent has not been submitted as the applicant has submitted to the Diocese for Ecclesiastical Exemption. Ecclesiastical Exemption provides a mechanism for certain denomination to be exempted from the Listed Building Consent and Conservation Area Consent systems administered by Local Planning Authorities when undertaking works or making repairs to those listed under their control. This reduces the instances of 'dual' control, therefore a Listed Building Consent application was not submitted to Knowsley Council as Local Planning Authority.

ISSUES AND ASSESSMENT:

The main issues in the consideration of the planning application is how the lights affect the setting of the Listed Building and the Conservation Area and also their impact, if any, on the amenity of neighbouring residential properties.

Issues to be considered include:

- Principle of the proposal regarding Listed Building and Conservation Area status
- Detailed fitting of the lighting features
- Ecclesiastical Exemption
- Highways
- Residential amenity

Principle of the proposal regarding Listed Building and Conservation Area status:

The National Planning Policy Framework (NPPF) (paragraph 194) states that:

“In determining applications, Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

Paragraph 195 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of a heritage asset, including its setting, and take into account when considering the impact of a proposal in order to avoid or minimise conflict between the assets conservation and any aspect of the proposal.

In determining the application, the NPPF states that the Local Planning Authority should take account of the positives associated with the heritage asset and that the more important a heritage asset, the greater weight that should be given to the protection of its significance.

The NPPF Glossary defines significance as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage assets physical presence but also from its setting.”

Paragraph 197 states that in determining planning applications, Local Planning Authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 199 advises that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Paragraph 202 advises that:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 206 advises that:

Local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those

elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Knowsley's Local Plan Core Strategy Policy CS20 states that:

Development proposals in Knowsley should preserve or enhance the Borough's historic and architectural assets. The Council will:

- a) Require preservation of the local distinctiveness and character of historic asset through sensitive design of new development, including appropriate integration with their setting and immediate landscape
- b) Prevent demolition and/or development which would result in substantial harm or the loss of a designated historic asset its setting, unless the proposal would result in substantial public benefits which clearly outweigh the harm or loss;
- c) Where a development proposal will result in less than substantial harm to a designated heritage asset, its setting, assess such harm against the benefits of the proposal.

The policy also states that "the reuse of vacant and under used historic assets will be encouraged, with favourable consideration given, here appropriate to proposal which will:

- a) Enable a use for a purpose sympathetic to its conservation
- b) Retain or introduce public access
- c) Enhance the importance of the asset for local tourism, leisure or the economy."

The Heritage Statement which accompanies the planning application discusses the significance of the Listed Church, its setting and the Conservation Area, it is relatively comprehensive and demonstrates a good understanding of the heritage assets. The Church and its setting are considered to be important heritage assets of high significance that make a strong positive contribution to each other.

The Conservation Officer notes that the lighting of the church would enhance its profile in the local area to a wide audience, confirming its importance as a landmark in Huyton and contribute to local civic pride. The Church has suffered in recent decades from vandalism and neglect, this lighting scheme should help to begin to build respect for the site and discourage ASB, hopefully reversing some of these trends.

The proposal to illuminate the Grade II* listed building of St Michael's Church to further enhance St Michael's architectural and historic features are to be encouraged. The proposal would better reveal its significance and should be treated favourably and would comply with paragraph 206 of the NPPF and Policy CS20 as the proposal would preserve this particular historical asset. These positive effects should weigh in favour of the scheme.

Detailed fitting of the lighting features:

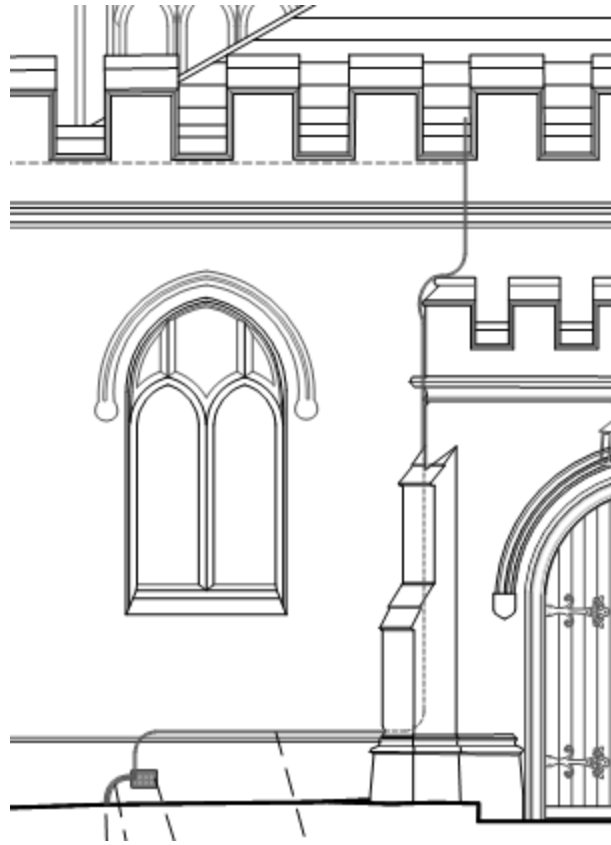
The application drawings illustrate the locations of the fittings and the associated cable routes and connection units required for the proposed development. Drawing No. 10-009_201 Rev D describes the locations of the mounting for the fittings for the high level element and also illustrate how the wiring routes have been prepared to follow mortar joints and the edges of the structure where possible.

The plans were amended following a late night lighting demonstration. Amendments received 17/06/2022 include:

- Change of dimension to the mounting height of the roof mounted fittings to allow for clearance of the guttering;
- Cable route has changed for the feeder cable up to the roof mounted fixtures



Drawing No. 10-050_105 Rev C



Drawing No. 10-050_105 Rev D

The application includes 4. no standalone ground mounted units which are of considerable size. The cages and concrete bases are functional – as they need to be given the evident vandalism - but not particularly attractive, and given the openness of the raised churchyard and their prominent position near the main porch entrance and adjacent the main pedestrian routes through the grounds, these will have a harmful visual impact/impact on the setting of the listed building.

The electricity cables to feed the lights is 15mm thick and black and will appear obtrusive. However, through the course of this application the location has been amended to minimise its impact as far as possible.

The cable is affixed every 300mm using 4mm bolts into the mortar joints (involving 6mm dia holes 60mm deep). The method of fixing helps to minimise damage to stonework.

It is considered that the cages and cabling would harm the appearance of the Listed Building, this harm should be weighed against the public benefits of the proposed development.

Ecclesiastical Exemption:

Listed Building consent is not required in this instance because the church is an ecclesiastic building and the works must be considered in line with the Ecclesiastical Exemption, this will address how the lighting features are attached to the church. For information purposes the Diocesan Advisory Committee made the following comments (10/03/2022):

- *The fittings for lighting scheme require more thought. The location of the light fittings fixed at roof level will make gutter cleaning more difficult as well as impeding maintenance and repairs. The light fittings would need to be removed and cannot be, as the struts are anchored into position.*

- *The committee expressed reservations at the prospect of the lighting scheme being used to celebrate civic events with 'special colour schemes'. The PCC should have a veto on any proposed lighting and this must be written into the agreement with the council.*
- *The proposed ground lighting units – concrete plinths with wire cages – are inelegant and are not suitable to the grounds of a Listed building.*
- *The use of airbricks as cable penetration points is not very discreet and the black armoured cables shown fixed to the external walls of the church, both at low level next to the entrance and running vertically alongside a buttress require redesigning to make the less obtrusive.*

The committee have no objections to the proposals in principle but attention to the above points will be required before they could recommend the scheme. They understand that Lite Ltd have produced successful schemes elsewhere in the diocese and I am sure that the proposals can be refined.

Email from Diocese 16/06/2022:

Further to our conversation, I am pleased to confirm that, following discussion of points raised by the Diocesan Advisory Committee, I have been able to issue a Notification of Advice recommending the proposed works. This means that Rev Marie may now send the Petition for Faculty to the Diocesan Registry (via the online faculty system).

There are Public Notices which must be displayed for 28 days to allow any interested person to register any objections. Once this period has elapsed, the Diocesan Chancellor will consider the application and issue the faculty allowing the work to commence.

It is expected that the Diocese will consider the application of the proposed development within their own, undefined timeframe, however that would not preclude the determination of the planning application under consideration by the local planning authority.

If changes are required through the Ecclesiastical Exemption process the planning permission could be amended.

Whether the public benefits of the scheme outweigh the harm caused to the Listed Building

As set out in this report, the cages and cabling required to ensure the lights operate and are secure would cause harm to the appearance of the listed building and its setting. However, the lights are considered to enhance the appearance of the church, better reveal its significance and discourage anti-social behaviour. These benefits outweigh the harm caused to the listed building.

Highways:

The application seeks to provide a scheme of lighting for the church building, the proposals have been reviewed by the highways team who believe that it would not have any detrimental impact to highway safety subject to a condition requiring lights to be screened to avoid them affecting drivers.

Residential Amenity:

Environmental Health has both reviewed the information submitted and attended site with the lighting consultants to witness a demonstration of the lights. Due to the nature of the project a lighting assessment would have proved difficult to produce, and therefore a demonstration was considered more useful.

Following the demonstration Paul Barnes from LITE (the lighting installers) confirmed the following in an email, dated 16.6.22 that:

- All the fixtures proposed for use on the project have the ability to vary the output of each individual colour. This is achieved at programming stage and can be modified throughout the life of the fixtures.
- Each light fixture can have the colour output varied, again through the life of the fixture, with each colour retaining the ability to vary the brightness.
- Times of operation can be set up and varied again throughout the fixture's life.
- Whilst it was demonstrated agreeably that there was no perceived light spillage onto nearby properties it was mentioned that, should there be an issue with direct glare when viewed from the properties a baffle could be applied to the inside of the protective cages.

Environmental Health are satisfied that there should not be an unacceptable impact on nearby residents however, to ensure the protection of the amenity of the nearby residents, EH have advised a condition which would require the applicant to investigate any complaints received within the first six months of the installation of the lights and would a solution to remedy the issue.

RECOMMENDATION:

Planning permission be granted subject to the following conditions:

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. All sources of lighting pertaining to the scheme shall be fully screened and orientated so as to avoid being directly visible for drivers of vehicles on any highway or the occupiers of any property near the site and shall remain as such at all times.

Reason: In the interests of highway safety and amenity and to ensure compliance with saved Policy DQ2 of the Knowsley Unitary Development Plan adopted June 1998

4. The lighting scheme hereby permitted shall be operated in a way that doesn't negatively impact the surrounding residents. Within the first six months, following the installation of the lights, should complaints be received about the effect of the lights on amenity, an assessment of the harm shall be carried out in accordance with a methodology, which has been submitted to the LPA for their agreement, within 28 days of the Local Planning Authority being made aware of the complaint. The findings of the assessment, along with any mitigation measures required and a timescale for their implementation, shall be submitted, for approval, to the LPA, within 1 week of the assessment being completed and mitigation measures shall be implemented within 28 days of being agreed.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
26/01/2022	10-009_001	Rev -	Site Location Plan
26/01/2022	10-009_002	Rev -	Existing Site Plan showing Roof Plan
26/01/2022	10-009_003	Rev -	Existing Ground Floor Plan
26/01/2022	10-009_004	Rev -	Existing Roof Plan
26/01/2022	10-009_005	Rev A	Existing Elevation A
26/01/2022	10-009_006	Rev -	Existing Elevation B
26/01/2022	10-009_007	Rev -	Existing Elevation C
26/01/2022	10-009_008	Rev -R	Existing Elevation D
26/01/2022	10-009-009	Rev A	Existing Section D1
26/01/2022	10-009_010	Rev -	Existing Section A1
26/01/2022	10-009_011	Rev -	Existing First Floor Plan
26/01/2022	10-009_106	Rev -	Proposed Elevation B
26/01/2022	10-009_107	Rev-	Proposed Elevation C
26/01/2022	10-009_108	Rev -	Proposed Elevation D
26/01/2022	10-009_202	Rev C	Proposed plinth, ducting & cage detail around light fittings at ground level
17/06/2022	10-050_102	Rev D	Proposed Site Plan showing Roof Plan
17/06/2022	10-050_103	Rev D	Proposed Ground Floor Plan
17/06/2022	10-050_104	Rev D	Proposed Roof Plan
17/06/2022	10-050-105	Rev D	Proposed Elevation A
17/06/2022	10-050_109	Rev D	Proposed Section D1
17/06/2022	10-050_110	Rev D	Proposed Section A1
17/06/2022	10-050_111	Rev D	Proposed Enlarged Front Elevation & Sections
17/06/2022	10-050_201	Rev D	Proposed High Level Light Fitting Location & Fixings
26/01/2022	January 2022	-	Heritage Statement
26/01/2022	-	-	Lighting Assessment and Photo Montage
26/01/2022	DAS-10-009	-	Design and Access Statement
26/01/2022	-	-	ReachElite IntelliHue 100 Powercore
26/01/2022	-	-	ReachElite High Punch Powercore IntelliHue 200

Jo Sheridan
26 July 2022

Alan Kilroe
4 August 2022