

Regeneration and Economic Development Department

APPLICATION NO: 21/00311/COU

APPLICANT: Patsyann O'Flaherty

WARD AFFECTED: Northwood

DEVELOPMENT: CHANGE OF USE OF PART OF THE PUBLIC HOUSE TO FORM A HOT FOOD TAKEAWAY/CAFE AND SEPARATE HAIRDRESSERS

LOCATION OF SITE: The Peacock, Quarryside Drive, Northwood, Kirkby, L33 6XJ

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Development

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS4 - Economy and Employment

CS7 - Transport Networks

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

TECHNICAL CONSULTATIONS:

Environmental Health - No objections, but request conditions.

Highway Authority - No objections.

NEIGHBOUR NOTIFICATION:

This application was publicised by letters sent to 23 local households and advertised by the display of a site notice. No representations have been received.

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The application relates to The Peacock PH on a corner plot bounded by Bigdale Drive to the west and Quarryside Drive to the south. The application seeks planning permission for a change of use of part of the building to a hot food take-away and part to a separate hairdresser's salon.

The uses would be on the northern side of the public house building where the snooker room is and adjacent toilets, and the salon would be the rearmost of the two uses. There would be a door opening installed for the hairdresser's where there is an existing window. One toilet would be retained, and the remainder of the area made over to the salon and two small treatment rooms. The hot food takeaway

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would be adjoining, with a separate entrance door installed where there is an existing window. The units would be separate units with no connecting door through.

POLICY CONSIDERATIONS

The application complies with Policies CS2, CS4, CS6, CS7 and CS19 of the Local Plan together with saved Policy H5 of the UDP. The proposed uses are of types found in residential areas as they provide local services. As such, they are not town centre uses and are not listed in the Town Centre Uses list in Appendix A: Glossary of the Local Plan. Consequently, a sequential test is not necessary.

DESIGN, ACCESS AND CRIME PREVENTION

The proposed changes to the external elevations of the building are minor in detail and would not be detrimental to the appearance of the building.

The required fume extraction/odour control flue for the hot food takeaway use is not shown on the drawings; however, details of this can be a requirement (by condition) of any planning permission granted and the appearance can be taken into consideration when discharging the planning condition. The installation of a typical hot food takeaway flue unit would not be detrimental given the detached nature of the building and that housing is not nearby.

The building already has late evening opening as a public house and, as such, the incorporation of a hairdresser's and hot food takeaway within the existing fabric of the building would not, it is considered, lead to further additional crime and anti-social behaviour issues.

HIGHWAYS

The agent has confirmed that three staff work in the pub at any one-time. Photographs of the existing space car park have been provided through a typical Saturday afternoon and highlight that parking spaces are available. The pub is a typical neighbourhood pub, with many customers not travelling by car.

The Highways Engineer has no objections to the application.

RESIDENTIAL AMENITY

Given that the existing building is a public house, it is considered that converting a part of the building to a separate hairdresser's and hot food takeaway would not harm local residential amenities. There would be approximately 7m from the hot food takeaway to the boundary of the property with the land to the north. This land is vacant although previously, approval was granted for residential development in 2014 (14/00201/REM). That planning permission has now expired and cannot be implemented. More recently, in 2020, planning permission was refused for residential development (application reference 20/00237/OUT).

Nevertheless, given that the adjoining land is likely to be developed for housing at some point, it is appropriate to ensure that the fume extraction system does not create an odour nuisance. Also, that the hours of use of the units are conditioned to align with the public house's opening times. Subject to these controls it is considered that the proposal would not harm the residential amenities of any future occupiers of the adjoining land.

Environmental Health do not object to the application but do request conditions. The conditions requested are to require submission and approval of details for the odour control/fume extraction unit required by the hot food takeaway and hours of operations. These are considered appropriate and meet the conditions' tests, albeit they have requested an earlier closing for the hairdresser's than the hot food takeaway. However, given the nature of a hairdresser's operation, it is considered that that the hot food takeaway operating hours condition requested is also appropriate for the hairdresser's and that it is unnecessary to impose earlier closing times.

Environmental Health have also requested specified times for refuse collection and deliveries. Nevertheless, given that the existing building is an operating public house, an appropriate condition

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would be that the refuse collection and deliveries do not occur earlier/later than those of the public house.

CONCLUSION

The proposal would have a minor impact on the external appearance of the existing building, with the future details of the required flue likely to have the greater visual impact, although this can be adequately addressed when details are submitted to discharge the condition.

It is considered that the proposal would not have greater impact on the residential amenities of the area than the existing pub and no highways issues are raised given the size of the car park and apparent excess capacity. The application complies with planning policies and is therefore recommended for approval.

RECOMMENDATION:

That 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) Customers shall not be served or accommodated in either the hot food takeaway premises or the hairdresser's salon hereby permitted except between the hours of 8am and 11pm on any day.

Reason: To safeguard the amenities of nearby residents and to comply with Policies CS2 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.

- 4) The deliveries and refuse collection to the uses hereby permitted shall not be earlier in the morning than any deliveries or refuse collection for the public house and none shall take place after 8pm on any day.

Reason: To ensure that the amenities of nearby residents are not unduly compromised and to comply with Policies CS2 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) Prior to installation, details of the means of ventilation and fume extraction including:
 - a. the provision of odour filters;
 - b. the siting of any external ventilation stack; and
 - c. details of any measures which are necessary to attenuate noise from the ventilation stack,

shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed and operating prior to the hot food takeaway use being first brought into use. Thereafter, it shall be retained and operated to the approved specification at all times.

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Reason: To safeguard the amenities of neighbouring occupiers and the area in general, in respect of odour and noise generation and to comply with Policy CS2 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.

- 6) The entrance door of the hot food takeaway hereby permitted shall have a self-closing device attached which shall operate at all times that the hot food takeaway is in use and shall be retained at all times.

Reason: In order to safeguard the residential amenity of the area and to comply 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 in June 2006.

- 7) Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (and any Order or Regulations revoking and re-enacting the Order or Regulations), the proposed hairdresser's salon hereby permitted, within the existing The Peacock PH building, to which this permission relates shall be used as a hairdresser's salon only and for no other use, including retail use, falling within Use Class E of those Regulations or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting those Regulations, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for a further change of use, whether or not it falls within the same Use Class and to comply with Policies CS2, CS4 and CS6 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/11/2021	21/Peac/02	B	EXISTING AND PROPOSED ELEVATIONS
01/11/2021	21/Peac/01/	B	EXISTING AND PROPOSED FLOOR PLANS
07/04/2021	TQRQM2105316 2829449	-	LOCATION PLAN

Lee Osborne

20 April 2022

Mark Cawood

22 April 2022

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