

<u>APPLICATION NO:</u>	23/02338/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Prescot Town Council
<u>LOCATION:</u>	Prescriptions Pharmacy The Kiosk , Manchester Road, Prescot		
<u>PROPOSAL:</u>	SINGLE STOREY SIDE AND REAR EXTENSION		

Site Description

The site is located at the eastern end of Manchester Road adjacent the junction with South Avenue. To the west and south-west of the site are the gardens of two detached houses. To the east and south-east of the site there is a planted area. There is a hard surfaced area to the front and then the carriageway which has a small lay-by to allow parking for 2-3 cars. The east end of Manchester Road joins a roundabout. On the other side of the roundabout to the north-east is Cables Retail Park. Opposite the site is a medical centre with housing to the west of the centre. Manchester Road and South Avenue are residential in character.

The site is small and triangular shape. The site comprises a single storey retail unit in use as a pharmacy and which is roughly triangular with the point of the triangle at the southern end cut off and blunt ending, with the front of the site being wider and fronting Manchester Road. There is space to either side of the unit, narrower on the east side, and at the rear.

Proposal

The proposal is an extension to the rear and western side of the unit. The extension to the side of the unit would be 1.8m wide, with the rear extension extending rearwards from across the extended rear of the unit a depth of approximately 5.5m and tapering down at the rear to a width of approximately 1.5m. At present the unit has a flat roof which slopes down from the front at approximately 2.75m to the rear at approximately 2.6m, and the roof would be extended across the extension flattening at the rear to maintain approximately 2.6m height at the rear. The proposal also includes a bin store area and screening in the front southeast corner of the site, consisting of 1.8m high timber fencing/gate to match the existing boundary fencing to the site.

Consultations

Environmental Health - No objections.
Highway Authority - No objections.
Prescot Town Council - No comments received.

Representations

This application has been publicised by letters sent to 9 neighbours. It has also been advertised by Site Notice

There have been 1 letters of objection, 15 letters of support and 0 letters of comment,. The representations are summarised as follows: -

21 neighbours notified. 1 objection and 16 letters of support. The objections are on the following grounds: -

- The chemist is in dangerous position on the corner just off a roundabout and there are no parking facilities, just a small bay. There are already problems with cars doing a u-turns and mounting the pavement. It is an accident waiting to happen.
- With late opening there are 'all-sorts' hanging around.
- There is also a Boots within area.

The support is on the following summarised grounds:-

- A larger space would enable room for more services for the local community , more privacy while discussing private matters ,and the staff currently struggle in the small space.
- The pharmacy is a much-valued local service within easy access to the doctors facing them.
- The pharmacy is currently too small.
- More stock would be able to be kept, lessening waiting times for prescriptions and goods for customers.

Some supporters have added the following to their support comments:-

- A better parking arrangement outside rather than just a lay-by would benefit the customers, and result in better safety on a busy road next to a roundabout.
- A zebra crossing to help people with mobility issues get across the busy road from the doctors to the pharmacy would be of great benefit to the area.

Planning History

None relevant.

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

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

H5 - Development within Primarily Residential Areas

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

The proposal is for an extension to an existing modestly sized, triangular shaped flat roofed detached unit in a primarily residential area close to Cables Retail Park. The unit operates as a pharmacy and the principle of development is acceptable subject to design and amenity issues together with policy compliance.

Design and Visual Amenity Considerations

The existing east side elevation does not contain windows and that would remain the case with the extended unit. The rear elevation at present does not have any openings whilst the extended unit would have a rear door. The existing west elevation has a door opening on the side, the extended unit would have a high-level opening window opening on the west side elevation and would be hard against the fence running the length of the western boundary of the site (0.15m-0.25m between extension and fence). The front of the side extension would have a window with the remainder of the unit front remaining as existing. The bin store screen would be acceptable, appearing as an extension to the fence and would be wholly within the curtilage of the site, and with the front elevation of the neighbouring house, 1 South Avenue, being approximately in line with the front edge of the screening (albeit approximately 10m away). The extended unit would be satisfactory in design and would be acceptable within the street scene. The extended unit would not be detrimental to the visual amenities of neighbouring properties or the wider locality.

The proposal complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Highways Considerations

The scheme offers modest additional storage space plus a slightly enlarged sales area and consultation room. It is not considered that there would be any significant

intensification as a result of the extension. Consequently, it is considered that the proposal would not be detrimental to highway safety. The Highways Engineer has no objections to the proposal.

The proposal complies with Policy CS2 of the Core Strategy and Saved Policy H5 of the UDP.

Residential Amenity Issues

The proposal is to extend an existing pharmacy unit and it is considered that there would not be a significant intensification of use. As such it is considered that the proposal would not impact significantly on the amenities of the neighbouring properties or the area in general. No privacy issues are raised by the proposal. A CMP has been submitted to mitigate construction effects and Environmental Health have no objections to that CMP. To minimise noise and disturbance during construction if planning permission is granted there may be a condition attached limiting the hours of construction works.

The proposal complies with Policy CS2 of the Core Strategy and Saved Policy H5 of the UDP.

Conclusion

The proposal is to extend a modest sized unit used as a pharmacy. The proposed extension would be in keeping with the existing unit and would not be detrimental to the visual amenities of neighbouring properties or the area in general. It is considered that there would be no significant intensification of use and therefore the proposal would not be detrimental to highway safety or give rise to residential amenity concerns. The application complies with planning policies and is therefore recommended for approval.

Recommendation

That Planning Permission 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 Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted in June 2006. d the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
15/08/2023	004	-	LOCATION PLAN AND BLOCK PLAN
02/11/2023	002	6	EXISTING AND PROPOSED FLOOR PLAN AND ELEVATIONS
13/12/2023	TH		CONSTRUCTION PHASE DUST, DIRT AND MUD CONTROL METHOD STATEMENT (SIMONA - REF: TH)

Signed Case Officer¹: **Lee Osborne**

Signed Authorising Officer²: **K Foster**

Date: **12 February 2024**

Informatives

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

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

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

² 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

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

Informative Note valid from 1st January 2023 until 31st December 2024

- 2 Due to the potential for contamination issues as a result of historical industrial use of the land covering the site and surrounding area, should any made ground and/or contamination be identified during the works it would be prudent to investigate. The responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

