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|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|----------------|
| <b><u>APPLICATION NO:</u></b> | 24/00269/FUL                                                                                                                           | <b><u>CASE OFFICER:</u></b> | Maxine Wishart |
| <b><u>WARD:</u></b>           | Roby                                                                                                                                   | <b><u>PARISH:</u></b>       |                |
| <b><u>LOCATION:</u></b>       | Whitegates Estate Agents , 1 Tarbock Road, Huyton                                                                                      |                             |                |
| <b><u>PROPOSAL:</u></b>       | RENDER TO GROUND FLOOR AND YARD WALL OF EXISTING COMMERCIAL UNIT WITH ERECTION OF 1.1 M HIGH RAILINGS ON TOP OF EXSITING BOUNDARY WALL |                             |                |

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#### **KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION:**

Primarily Residential Area

#### **Site Description**

The application relates to an existing commercial property operating as an Estate Agent located at the end of a 1930s shopping parade on Tarbock Road, Huyton. The shopping parade comprises a two-storey terrace of units with commercial premises at ground floor with a mix of residential flats and commercial uses above. The shopping parade is identified as a Major Local Centre within Table 1: Knowsley's Approved Retail Centres of the Town Centre Uses SPD.

The units are served by a service road and parking bays off Tarbock Road to the front of the application site. The parade is also served by a service road at the rear with enclosed yards accessed therefrom.

The application property occupies a corner plot at the junction with Blacklow Brow. The site benefits from a concrete apron to the side which serves as parking for the application premises and which is accessed off Blacklow Brow.

The concrete hardstanding is at a raised level and a retaining wall is located at the back of the parking area.

The site occupies a prominent location adjacent to a busy roundabout which provides a link between a major arterial road A5080 and the B5199 (Archway Road) which is a major thoroughfare to Huyton Town Centre and within the Borough.

Residential dwellings are located to the north and east (to the rear) on Blacklow Brow. To the west of the application site lies a Public House (The Crofters Arms) and beyond the PH to the southwest there are sheltered flats and a care home. Other units in the parade sit to the south and other residential dwellings are located beyond the shopping parade.

#### **Proposal**

The application proposes rendering external elevations of the ground floor of the unit and the side of the yard wall where it faces Blacklow Brow. It is also proposed to

erect a section of 1.1 m high railings which would sit atop of an existing retaining wall to the side of the premises.

### **Consultations**

Highway Authority - No objections in principle.

### **Representations**

This application has been publicised by letters sent to 23 neighbours. No representations have been received as a result of this publicity.

### **Planning History**

**APP. NO:** 22/00313/FUL  
**PROPOSAL:** RENDERING OF FRONT AND BOTH SIDE ELEVATIONS OF PROPERTY AND OTHER ASSOCIATED WORKS  
**DECISION:** Refused  
**DECISION DATE:** 12 August 2022

### **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.

### **NATIONAL PLANNING POLICY FRAMEWORK**

#### **KNOWSLEY LOCAL PLAN: CORE STRATEGY**

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development  
CS20 – Managing Heritage

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

H5 - Development within Primarily Residential Areas  
S9 – Shop Fronts and Security Shutters  
DQ2 – Security in the Built Environment  
DQ3 – Gateway Sites and Corridors

## **SUPPLEMENTARY PLANNING DOCUMENTS**

Design Quality in New Development SPD (2016)  
Shop Fronts and Signage Design SPD (2023)

### **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**

#### **Background**

Planning permission was refused in August 2022 for development comprising rendering of front and side elevations of property and other associated works (Ref: 22/00313/FUL). The associated works involved the replacement of the existing first floor concrete window surrounds with new frames together with new cast concrete cills, replacement lintels with steel lintels and making good any disturbed work. The application was refused for the following reason:

*“The proposed development would have an unacceptable impact on the appearance of a non-designated heritage asset which is a prominent and important feature in its immediate surroundings. The proposed works to the first floor of the building would appear incongruous when considered as part of the parade of shops as a whole and which would cause harm to the buildings and its surroundings. As such, the proposal would be contrary to the National Planning Policy Framework, Policies SD1, CS2, CS19 and CS20 of the adopted Knowsley Local Plan Core Strategy (adopted 2016).”*

#### **Layout and Design**

Policy CS2 sets out local principles which underpin new development in Knowsley. Of particular importance relevant to the consideration of this planning application is principle 4 which seeks to ensure development understands and respects the character and distinctiveness of places, protecting and enhancing the historic environment and promoting good quality design ensuring that development respects its setting taking into account relevant design requirements and best practice.

Policy CS19 sets out the Council's design principles covering a range of matters. In particular, it seeks to enhance local distinctiveness, identity and accessibility of places and requires development to respond to and integrative positive characteristics of immediate surroundings, including local materials, scale, mass, form, layout, alignment, and density.

The proposed works are different to that as refused in that it would now only comprise the application of new render to the ground floor front and side elevations of the building with Silicone Render coloured cream (RAL 9001). This application does not involve the other associated works to the window surrounds etc, and now seeks to render the side yard wall and erect 1.1 m high railings around part of the side car parking area.

In considering the proposals for the application site, the application property must be considered as part of the shopping parade which makes an important contribution to its surroundings. The parade comprises of an array of shops which have a variety of glazed frontages and signage at the ground floor and brick facing to the first floor. The property features a similar pattern in terms of design to the first floor regarding the concrete surrounds and parapet walls etc. The design to the first floor is uniform and contains architectural merit.

The shopping parade is also located in a prominent location on a major thoroughfare within the borough. Policy DQ3 seeks to enhance the visual appearance of developments which are within or adjacent to, or visible from a number of identified roads and rail routes within the borough. The A5080 (Tarbock Road / Cronton Road) is identified as one such route. In order to protect and enhance the image of Knowsley and Merseyside as a whole it is considered important to optimise the visual appearance of these routes.

The parade has commercial uses at ground floor and flats above, whilst the character of the ground floor has been eroded through the introduction of a variety of modern shop fronts, the materials and features of the first floor have largely been retained. The earlier proposal to render the full property was not acceptable as it would have resulted in an incongruous feature in an otherwise relatively uniform parade of shops harmful to the character and appearance of the parade of shops and its surroundings.

The application under consideration seeks to apply render to the ground floor of the unit and now also includes rendering of the side elevation of the yard wall which was not included in the earlier proposal.

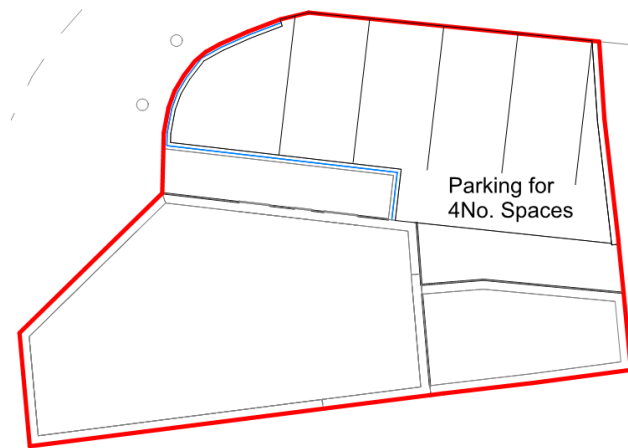
The host dwelling has an engineering red brick low-level stallriser and red engineering brick to part of the front façade and side return onto Blacklow Brow with large glazed white window openings that extend across the front and part of the side elevation. It has advertisement panels above which extend across the front and partly to the side.

It is noted that in the previous Officer's report it states that *"there would be no objections to the render only being applied to the ground floor level of the property (given the engineering brick next to the shop front and variety of shopfronts installed on the parade)..."*

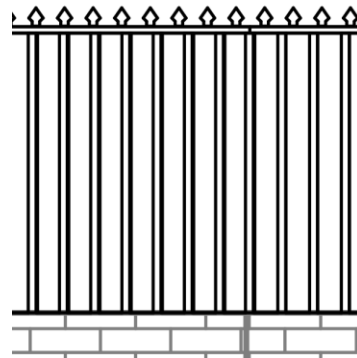
The proposed rendering of the ground floor (including rear yard wall) will not have a detrimental effect on the overall character and appearance of the property or the wider shopping parade and is considered to be acceptable. The proposals comply

with saved Policies H5, DQ3 and S9 of the UDP; Core Strategy Policies CS2, CS19 and CS20 and relevant SPDs.

The application proposes the installation of railings along the top of an existing retaining wall the railings would be 1.1 m high and located as shown in blue on the plan below.



The railings would be located on top of an existing low-level retaining wall and comprise 1.1 m high railings with a decorative pointed railheads. The application is supported by illustrative photographs and plans (below).



It would seem that the functional purpose of the railings is to curtail anti-social behaviour by stopping people from sitting on the wall at the side of the building which could form a 'sit-off' area in quite a secluded location, particularly outside of daylight hours and in part due to the siting of 2 no. telephone boxes.

The design and siting of the railings is considered to be acceptable. It is considered that these should be finished in black and this can be secured by a suitable condition if planning permission is granted.

#### *Security and Anti-Social Behaviour Considerations*

Policy CS19 of the Local Plan recognises the importance of design in minimising crime, fear of crime and anti-social behaviour. Saved UDP Policy DQ2 - 'Security in the Built Environment' provides more detailed direction on this issue. The explanation to Policy DQ2 states that design of new developments has a crucial role

to play in delivering and creating a sense of safety and security. However, it goes on to state that security should not be achieved at the cost of making a development unattractive.

The railings would not enclose or secure the car parking area or the side entrance of the premises. It is understood the purpose is to deter anti-social behaviour and to stop people sitting on the wall in this area.

It is acknowledged that this area is likely to attract anti-social behaviour given that there are a number of units operating in the parade that open later into the evening and which include a hot food take-away; convenience stores and a restaurant. In this instance it is considered feasible that the concerns of the applicant are sufficient to support measures to limit anti-social behaviour in this location.

### **Effect on Non-Designated Heritage Asset (NDHA)**

Policies CS2 and CS19 seek to ensure new development respects the character and distinctiveness of places whilst ensuring new development responds to and integrates positively to the characteristics of the immediate surroundings. Policy CS20 further requires development proposals to preserve local distinctiveness and the character of historic assets through sensitive design including appropriate integration with their setting and immediate landscape.

Policy CS20 sets out the Council's approach to managing the Borough's historic environment and requires development proposals to preserve or enhance the borough's historic and architectural assets including buildings and structures of historic importance. Policy CS20 requires preservation of local distinctiveness and character of the borough's historic assets through sensitive design of new development, including appropriate integration with their setting and immediate landscape.

Since the earlier planning application, the property has been recorded on the Historic Environment Record (HER) (MME21381) which records a date stone which reads *EE 1935*. NDHAs are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.

The application site forms part of a building which is of architectural significance that makes an important contribution to its surroundings and this is a material consideration for the determination of this planning application.

The NPPF requires a balanced judgement to be undertaken through the decision-making process in terms of the effects a development has in relation to designated and non-designated heritage assets. Paragraph 209 of the NPPF (2023) states that *"The effect on an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and significance of the heritage asset."*

Policy CS20 requires that development should preserve or enhance the borough's historic and architectural assets. The policy goes on to state that the Council will require preservation of the local distinctiveness and character of historic assets

through the sensitive design of new developments including appropriate integration with their setting and immediate landscape.

It is Officers view that the architectural quality of the shopping parade has been diminished in the past through the introduction of a variety of new shop fronts and signage which has resulted in some unsympathetic additions to the parade. The recording on the HER as a non-designated asset is noted. The historic interest of the building is considered to be at the local level.

The existing fascias of the building at ground floor comprise a mix of mismatched brickwork. In addition, the yard wall appears, in some parts, to have been rebuilt and there are areas of spalling brickwork.

The proposed development will not result in significant harm to the character and appearance of a NDHA to a degree that would warrant refusal of planning permission.

The development is therefore considered to comply with the NPPF, Policies CS2, CS19 and CS20 of the Core Strategy which require development to respond to and integrate positively with characteristics of immediate surroundings and to preserve of local distinctiveness and the character of historic assets through the sensitive design of new development, including appropriate integration with their setting and immediate landscape.

### **Highway Considerations**

The proposed railings would be located around the corner of the car parking area. It would not enclose or secure the parking area, nor would it restrict the use of vehicles using the space.

The Local Highway Authority has considered the proposal and have not raised objection but have indicated that a condition to secure further details of the railings should be employed if planning permission is granted. The Highways Engineer has indicated that the reasoning behind the suggested condition is to ensure that the fence would be of an open nature to allow visibility through it. However, Officers discussed with the Highways Engineer that the application is supported by drawings and illustrative photographs which identify the proposed railings. On this basis, the Highways Engineer is satisfied that they would enable adequate visibility to negate the need for the condition.

The proposed development does not raise any other highway concerns.

### **Residential Amenity**

#### *No. 2 Blacklow Brow*

No. 2 Blacklow Brow sits behind the application site with the side boundary of that property abutting the service road / yard to the rear of the application site. The property does not directly face the site and it is considered that the proposed development would have no adverse impact on the residential amenity of this neighbouring property.

The application of railings to the side may result in beneficial impacts by reducing anti-social behaviour on the application site.

#### *Nos. 1 and Blacklow Brow*

Nos. 1 and 3 are located facing the site of the application site. These properties sit approx. 20 from the application site boundary. They would have views of the side of the premises and therefore the proposed development would be visible from their properties. However, it is not considered that the proposed development would result in detrimental impacts on the residential amenity of these properties.

### **Conclusion**

The proposal is acceptable in principle and in relation to amenity and highway safety. The application complies with local planning policies and is 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) Within one month of their installation, the railings hereby permitted shall be finished black and maintained as such thereafter.

Reason: In the interest of visual amenity and to comply with the National Planning Policy Framework (2023), Policies CS2, CS19 and CS20 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       | Versio | Drawing/Document Title                 |
|---------------|---------------|--------|----------------------------------------|
| 01/10/2024    | 1254-02-05-01 | Rev. C | ELEVATIONS EXISTING AND PROPOSED       |
| 10/07/2024    | 1254-02-01-01 | -      | SITE LOCATION PLAN                     |
| 10/07/2024    | 1254-02-02-02 | Rev. A | SITE LAYOUT PLAN - PROPOSED            |
| 08/07/2024    | -             | -      | RENDER SAMPLE - CORPORATE (PHOTOGRAPH) |
| 21/05/2024    | -             | -      | EXAMPLE RAILINGS (PHOTOGRAPH)          |

**Signed Case Officer<sup>1</sup>:**      M Wishart

**Signed Authorising**  
**Officer<sup>2</sup>:**      K Foster

**Date:**      2 October 2024

**Informatives**

None,

**Contd....**

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<sup>1</sup> 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

<sup>2</sup> 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

**Appendix 1 – Site Photographs**







