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| <b><u>APPLICATION NO:</u></b> | 23/01473/COU                                                                                        | <b><u>CASE OFFICER:</u></b> | Mark Quinn |
| <b><u>WARD:</u></b>           | Whitefield                                                                                          | <b><u>PARISH:</u></b>       |            |
| <b><u>LOCATION:</u></b>       | Rowlands Pharmacy, 54 - 58 St Chads Parade, Kirkby Town Centre                                      |                             |            |
| <b><u>PROPOSAL:</u></b>       | CHANGE OF USE FROM RETAIL (USE CLASS E) TO A CHILDREN'S (7-18 YEARS) LEARNING CENTRE (USE CLASS F1) |                             |            |

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### **Site Description**

This application relates to a retail unit in St Chad's Parade, Kirkby Town Centre.

### **Proposal**

It is proposed to change the use of the premises from retail (Use Class E) to a Children's learning centre (Use Class F1) .

### **Consultations**

Highway Authority - No objections  
Environmental Health - No objections  
Town Centre Management - No comments received

### **Representations**

This application has been publicised by letters sent to 19 neighbours. No representations have been received.

### **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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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**

CS6 - Town Centres and Retail Strategy

CS10 - Principal Regeneration Area - Kirkby Town Centre

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

S2 - Diversification of Uses within Existing Centres

National Planning Policy Framework

#### **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**

The proposed local learning centre would be run by a national education charity IntoUniversity with the aim to provide a safe space for young people in the local community. IntoUniversity will run educational programmes in the space to encourage local children and young people aged 7-18 to achieve their full potential. This will include work with local primary and secondary schools as well as after school academic support with homework and school work whilst also looking beyond the curriculum including workshops in partnership with schools, universities and businesses and career insight sessions and work experience.

##### **Acceptability of proposed use**

Knowsley's planning policies encourage complementary non retail uses within the Borough's town centres including Kirkby Town Centre.

Local Plan policy CS6 – Town Centres and Retail Strategy states *“In order to enhance the vitality and viability of Knowsley's centres and maintain appropriate local service provision, the following hierarchy shall apply:*

*a) Huyton, Kirkby and Prescott Town Centres will enhance their equal role in providing comparison and convenience shopping. This will be supplemented by a complementary mix of leisure, health, residential, education, cultural, employment, service uses and complementary evening and night time uses.”*

Local Plan policy CS10 – Principal Regeneration Area – Kirkby Town Centre also supports a wider mix of town centre uses. The policy states “ *Comprehensive regeneration will be supported to enhance the viability and vitality of Kirkby Town Centre by :*

*“a) Encouraging a wider mix of town centre uses, services and facilities, including new comparison and convenience retail floorspace, key services, residential, employment uses, cultural and leisure facilities, and enhancements to the evening economy and existing market”*

Paragraph 6.23 in the supporting text states “ *Smaller scale proposals which provide leisure, employment, educational and/or residential components, including above ground floor retail, leisure or other facilities, which complement the overall regeneration priorities of the town centre, will be encouraged in accordance with Policy CS6: Town Centres and Retail Strategy.*”

Saved UDP policy S2 – Diversification of Uses within Existing Centres states “*Proposals for new buildings, or for the change of use or alteration of existing buildings, to provide town centre uses (as defined in Appendix 7) within existing town and district centres will be permitted provided that the following criteria are met:*

- a) The proposal would be compatible with the scale and role of the centre and would not have a detrimental impact on the retail function of the centre;*
- b) The proposal would not result in a grouping of uses which would have a negative impact on the character of the centre;*
- c) The use would not (by reason of smells, noise, visual intrusion or general disturbance) have a detrimental impact on the environment of the surrounding area; or on the amenity of any neighbouring residents; and*
- d) The proposal would not cause or exacerbate on-street parking, traffic or amenity problems.”*

Appendix 7 includes education being an appropriate use in the town centre.

Paragraph 7.20 in the supporting text states “*The introduction of non-retail uses (either at ground floor or upper floor level) can make an important contribution to the regeneration of the local area, attracting more visitors and increasing personal safety by increasing activity in the evenings. The introduction of uses such as childcare facilities, health and social care and education and training facilities can also contribute to the interests of “social inclusion”, making these uses available in centres which by their nature are accessible to local people.*”

The above policies and guidance clearly support the principle of educational uses in Kirkby town centre subject to the criteria set out in Saved UDP policy S2 being met. The proposed use is relatively small scale (gross internal floorspace 367 sqm) and would be compatible with the scale of the town centre.

The adjacent uses comprise a vacant unit, a card shop, coffee shop, barbers vacant unit, charity shop and discount store. Therefore the majority of units currently in use are in use as retail and therefore the proposal would not result in a grouping of non- retail uses which could potentially have a negative impact on the town centre. The proposed use would in fact be bring a vacant unit back into use encouraging more footfall to the town centre to the benefit of the vitality and viability of the town centre.

There is more than adequate public car parking in the town centre within the car park on Cherryfield Drive and the car park bounded by County Road/ Hall Lane (adjacent to Morrisons) and therefore the proposed use would not result in any highway safety issues.

The proposal would be in compliance with Local Plan policy CS6, CS10 and Saved UDP policy S2

### **Conclusion**

The proposed use would be of benefit to the education of young people in the local community and would be an acceptable use in the town centre being compliant with the Local Plan and Saved UDP policies listed above.

### **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.

### **SCHEDULE 1**

| Date Received | Ref. No     | Version | Drawing/Document Title               |
|---------------|-------------|---------|--------------------------------------|
| 23/06/2023    | PP-12214257 | V1      | SITE LOCATION PLAN                   |
| 31/07/2023    | 103         | -       | PROPOSED GROUND FLOOR PLAN           |
| 31/07/2023    | 102         | -       | EXISTING/PROPOSED FIRST FLOOR LAYOUT |

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

**Mark Quinn**

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

**K Foster**

**Date:**

**12 September 2023**

<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

**Informatives**

None Required

