

Regeneration and Economic Development Department

APPLICATION NO: 21/00062/FUL

APPLICANT: Poven Developments Ltd

WARD AFFECTED: Roby

DEVELOPMENT: CHANGE OF USE OF FIRST FLOOR AND LOFT OF PUBLIC HOUSE
THE ERECTION OF A FIRST FLOOR REAR EXTENSION TO FORM 4 NO.
FLATS (USE CLASS C3) (GROUND FLOOR TO REMAIN AS PUBLIC
HOUSE) TOGETHER WITH THE DEMOLITION OF EXISTING GARAGE
AND THE FORMATION OF HARDSTANDING TO FORM 4 NO. CAR PARK
SPACES, OUTDOOR SEATING AREA AND OTHER ASSOCIATED WORKS

LOCATION OF SITE: Queens Arms, 39 Blacklow Brow, Huyton, Knowsley, L36 5XE,

KNOWSLEY LOCAL PLAN ALLOCATION –

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

Conservation Areas - The Orchard Conservation Area

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Primary Residential Development - Primary Residential Development

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

CS7 - Transport Networks

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

ENV2 - Noise and Vibration

DQ5 - Development in Conservation Areas

National Planning Policy Framework

TECHNICAL CONSULTATIONS:

Cadent Gas Limited - **No Objections in principle.**

Conservation & Design Officer - **Raised concerns to original plans. Amended plans have subsequently been submitted to address these concerns. No objections raised to amended plans.**

Environmental Health - **No objections subject to implementation of noise mitigation.**

Highway Authority - **No objections subject to cycle storage provision.**

Network Rail - **No comments received.**

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 20 neighbours. It has also been advertised by Site Notice and a Press Notice.

There have been 4 letters of objection, 4 letters of support and 2 letters of comment objecting to the loss of the public house which is not part of this application. The existing public house will be unchanged by this proposal. One of these 2 letters has subsequently been withdrawn after the

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proposal here clarified with the resident. The second letter is being considered as a non- material objection as the resident cannot be contacted and their objection relates solely to the loss of the public house. In conclusion as there are no more than 4 letters objection raising material planning objections the application can be determined under delegated powers. The representations are summarised as follows:-

Objection Comments

- Already too many cars in Blacklow Brow with only 1 space per flat where will the other cars park?
- Concerned about noise from outdoor terrace.
- It would be a shame for the pub to be converted to flats as it's a good community pub with longstanding customers. (Non-material)
- The proposal could eventually lead to the loss of this community facility. Given there would be no licence accommodation it could make is less attractive for publicans to take on the licence. The future viability of the pub could therefore be threatened. The residential above would conflict with the ground floor use as a pub with residents complaining about noise. The Queens Arms is a good example of 1950's interior and should be included on the Council's local listing in any future review of heritage assets. The pub is listed by CAMERA as a pub with an historic interior.
- This is the only traditional pub in the area we should not lose such an asset when the area is being re-developed.
- This is a fine example of an historic interior which should be preserved. Concern that the proposal would lead to the loss of the ground floor interior.
- Residential accommodation is not really suited to above a pub.

Support Comments

- The development would be of benefit to the area and would eliminate late night noise. These plans are in line with the Council's ambitions to regenerate Huyton Village.
- Now the plans confirm the public house is to be retained I support the application.
- The pub creates a lot of noise in the evenings and anti- social behaviour especially with it located close to residential dwellings .
- The building would be best suited as entirely residential given the ASB issues however this is a step in the right direction.
- The building has been neglected and requires significant investment, the ground floor leisure offering should be of a similar quality to the premises recently opened in Huyton Town Centre.

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 site relates to an existing public house and curtilage located on Blacklow Brow, Huyton, close to Huyton railway station and within The Orchard, Conservation Area.

It is proposed to change the use of the 1st floor of the building and loft area together with a 1st floor extension to the rear of the building to form 4 residential flats. The ground floor of the building would remain as a public house. An existing garage to the rear would be demolished and 4 car parking spaces would be laid out together with an additional external seating area.

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POLICY CONSIDERATIONS

The site is allocated as a Primarily residential area with a conservation area on the Local Plan policy map.

In principle residential development would be an acceptable use in a primarily residential area subject to the detailed considerations set out below.

DESIGN/HERITAGE

The site falls within The Orchard Conservation Area and is a non-designated heritage asset.

Historic Significance

The conservation area is a good example of early planned high status Victorian suburban development. The Orchard is the highest status example in Huyton. However, this part of the conservation area is of quite different character and origin to the leafy villa estate, it is older, buildings are generally smaller and less 'grand' and the arrangement of buildings are much tighter to roads.

The Queen's Arms Hotel has a history which pre-dates the suburban victorian villa development properties, it is understood to have provided lodgings for workers on the turnpike road and later the railway. That building was pulled down in 1957 and replaced with the current one by Peter Walker's Brewery, Warrington. Post war pubs are considered a threatened type of historic building, they are lesser in number than inter-war pubs and comparatively few have survived in a reasonable state of preservation.

The site's long history as the Queens Arms Hotel means it many local people will have associations with it.

Aesthetic

The building is sited very prominently on a corner adjacent to Huyton Station. Externally the building is little altered, and this adds much to its attractiveness and value. It has a rather traditional appearance given its date, this is not atypical as pubs of this era were generally still designed to the principles that characterised the inter-war years. Unusually here its design and materials are markedly different to other historic buildings nearby and this difference is what gives it its focal building status – as identified within the conservation area appraisal. Its clay tile roof and deeply oversailing eaves are its multipaned timber windows, brick and roughcast render elevations are key features. CAMRA have identified that important elements of the interior bar area are also intact [Queens Arms - Pub Heritage Site \(camra.org.uk\)](http://camra.org.uk)

The flat roofed rear portion of the building has been 'secured' by application of an unattractive barbed wire feature around the edge of the parapet. This is prominently positioned, adjacent to the station.

The original proposals submitted with the first floor flat roof extension, balcony and French doors to the Pinnington Place elevation did not preserve or enhance the conservation area. Amended proposals have subsequently been submitted which adequately address these issues. The flat roof to the proposed extension has now been replaced with a pitched roof and chimney to match the existing roof,

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the balcony has been removed and the french doors replaced with a widow to match the existing multi-paned windows.

On balance the proposals are now considered to enhance the conservation area as the existing single storey flat roof extension with barbed wire is removed by building above and therefore the proposals would be in compliance with Local Plan policies CS19 and CS20, saved UDP policy DQ5 and guidance in NPPF (2021).

RESIDENTIAL AMENITY (INC NOISE IMPACTS)

The main issues in this regard are noise impacts from the pub below for the occupiers of the flats, noise from the adjacent railway line/station and the amenity of neighbouring occupiers, private amenity space and minimum space standards for the flats.

A noise assessment was submitted to support the planning application which proposed acoustic glazing to specified main habitable room windows, increased floor/ceiling noise insulation measures between the pub and flats above and that the external seating area closes at 23:00 on any day. The implementation of these measures can be secured by an appropriately worded planning condition.

With regard to overlooking the original proposal showed main habitable room windows within 11.5m of the main windows of the existing dwelling opposite in Pinnington Place. This relationship was deemed unsatisfactorily and could have led to loss of privacy. Amended plans have subsequently been submitted changing the layout of one of the flats to ensure only a bathroom and kitchen window (both of which would be fitted with obscure glazing) would overlook Pinnington Place and the existing dwellings. The details of the obscure glazing can be secured by planning condition.

There is no scope for the provision of any private amenity space within this scheme. However, the proposals do include the creation of a new external seating area for the public house which the residents of the flats would be able to use.

The proposed flats would accord with the minimum space standards set out in Technical Standards-nationally described space standards. (March 2015) for a 1 bedroom dwelling.

In conclusion the proposals would be in compliance with Local Plan policy CS19 and saved UDP policy ENV2.

HIGHWAY SAFETY

The existing premises has very little in the way of off- street parking. To the rear of the premises is an existing garage in poor repair and space for 2 cars. It is envisaged the majority of customers would either walk or use the bus/train to visit the pub, however for those customers that choose to drive there is ample car parking a short walk away in Huyton Town Centre. Limited on-street car parking is available in Blacklow Brow for permit holders or for general use after 6pm during the week or at weekends.

The proposed layout would provide for 4 car parking spaces for the proposed flats which given the edge of Town Centre location the Highways Team considers to be acceptable.

Cycle parking and Electric Vehicle charging points would be required which can both be secured by planning condition.

Overall the proposal would be in compliance with Local Plan policy CS7.

OTHER ISSUES

There is no evidence to suggest that the long term future viability of the public house would be in jeopardy if the proposal for the conversion of the upper floors is implemented or that the interior of the pub would be altered as this does not form part of this application. In any event given that the building is not listed any internal works would not require any specific permission from the Local Planning Authority.

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CONCLUSION AND REASON FOR DECISION.

The amended proposal is considered to be acceptable in terms of the impact on existing/proposed residents providing suitable mitigation in the form of floor/ceiling insulation and acoustic glazing is implemented. The proposal would enhance the conservation area and there would be no adverse impacts on highway safety.

The proposal would be in compliance with the relevant local and national planning policies.

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) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the proposed extension and boundary wall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials.

Reason: To preserve the character and appearance of the Orchard Conservation Area. In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) Any windows (including the proposed rooflights) to be formed or altered in connection with the proposed development hereby permitted shall be constructed in accordance with details (including details of all mouldings, transoms, mullions and opening mechanisms) which have been submitted to and approved in writing beforehand by the Local Planning Authority. These shall be retained at all times thereafter unless otherwise approved in writing beforehand by the Local Planning Authority.

Reason: To preserve the character and appearance of the Orchard Conservation Area and to comply with Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS19 and CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the National Planning Policy Framework.

- 5) Prior to any above ground works commencing full details of the re-positioned chimney including the precise design and proposed materials shall be submitted to and approved in writing by the Local Planning Authority. The Chimney shall thereafter be constructed in accordance with the approved scheme details.

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Reason: To preserve the character and appearance of the Orchard Conservation Area and to comply with Saved Policy DQ5 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS19 and CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the National Planning Policy Framework.

- 6) The bathroom and kitchen windows to Flat one (facing Pinnington Place) shall be glazed using obscure glass, to level 4, the obscure glazing shall be retained at all times thereafter.

Reason : To ensure an acceptable level of privacy is provided for the occupiers of the flat one and the existing occupiers opposite in Pinnington Place and to ensure compliance with saved policy H5 in the Knowsley Unitary Development plan and Policy CS19 in the Knowsley Local Plan Core Strategy.

- 7) No development shall take place until a scheme for the provision of cycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

- 8) Electric vehicle recharging points shall be provided at a rate of 1 per every 2 parking bays.

All chargepoints shall be:

- a) A minimum of 7KW,
- b) at Least Mode 3 or equivalent,
- c) untethered, and
- d) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

Unless otherwise agreed in writing by the Local Planning Authority.

All EV charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome park/travel planning advice.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and NPPF Para 110.

- 9) The noise mitigation scheme as set out in Hepworth Acoustics Noise Assessment P21-217-R01v1 shall be implemented in full and confirmation provided to the Local Planning Authority providing evidence of the glazing specification installed to the flats prior to the first occupation of the dwellings hereby permitted .

Reason : To ensure that the noise mitigation measures proposed are implemented prior to first occupation to provide the occupiers of the proposed flats an acceptable standard of amenity and to ensure compliance with saved policy ENV2 in the Knowsley Replacement Development Plan, 2006.

- 10) Customers of the public house shall not be served or accommodated in the external seating areas after 23:00 hours on any day of the week.

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Reason : To ensure a satisfactory standard of amenity for the occupiers of the proposed dwellings and to ensure compliance with saved policy ENV2 in the Knowsley Replacement Development Plan, 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
11/03/2021	-	-	LOCATION PLAN
09/06/2021	QA 01 A	-	PROPOSED GROUND FLOOR PLAN
23/07/2021	QA 08 B	-	PROPOSED ELEVATIONS
23/07/2021	QA 07 A	-	PROPOSED 2ND FLOOR PLAN
23/07/2021	QA 06 B	-	PROPOSED 1ST FLOOR PLAN
11/06/2021	ISSUE 1	-	NOISE IMPACT ASSESSMENT

Informatives

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

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

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

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.

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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

- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

3. See consultation response from Cadent Gas

Mark Quinn

23 September 2021

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