

<u>APPLICATION NO:</u>	23/00422/KMBC1	<u>CASE OFFICER:</u>	Jo Sheridan
<u>WARD:</u>	Whitefield	<u>PARISH:</u>	
<u>LOCATION:</u>	Multi Storey Car Park, Hall Lane, Kirkby Town Centre		
<u>PROPOSAL:</u>	Refurbishment of existing multi storey car park including the change of use of ground floor shop to form vehicular parking and other associated works		

Site Description

The site subject of the application is the multi storey car park located within Kirkby Town Centre. Specifically, the car park is accessed via Telegraph Way which is to the west of the new retail offer within Kirkby.

The car park is eight storeys and provides 349 car parking spaces.

Proposal

This planning application seeks permission for the refurbishment of the car park, which includes changing the use of the existing ground floor retail unit to become part of the car park. Other improvements include, a security office, wider parking bays, the provision of electric vehicular charge points and cycle parking.

The applicant has stated that the car park as it stands is not compliant with current regulations. The existing top open floors are in poor condition with areas of standing water and general disrepair. The exterior of the car park is largely pebble dash concrete panels with metal grills.

Consultations

Highways: Highways have raised no objections to the proposal, subject to two conditions, one for the submission of a construction management plan and one for details of cycle parking. An informative was also requested advising the applicant that the grant of planning permission does not authorise the erection of scaffolding, hoardings or any other device or apparatus on the highway.

Lighting: No objections.

Representations

This application has been publicised by neighbour notification letters and site notices (four). No representations have been received as a result of publicity given to the application.

Planning History

None recent.

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development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

In this regard the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision under the provisions of paragraph 219 of the latest NPPF. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.

The relevant adopted policies for the assessment of the application are listed below.

Knowsley Replacement Unitary Development Plan (Saved Policies, 2006)

T7 – New Development and Walking & Cycling Routes

DQ3 – Gateway Sites and Corridors

Knowsley Local Plan Core Strategy (2016)

SD1- Sustainable development

CS1 – Spatial Strategy for Knowsley

CS2 - Development Principles

CS6 – Town Centres and Retail Strategy

CS7 – Transport Networks

CS10 – Principal Regeneration Area – Kirkby Town Centre

CS22 – Sustainable and Low Carbon Development

CS23 – Renewable and Low Carbon Infrastructure

Merseyside Waste Local Plan (2013)

WM8 – Waste Prevention and Resource Management

WM9 – Sustainable Waste Management Design and Layout for New Development

Supplementary Planning Documents

Ensuring a Choice of Travel SPD (2010)

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

The proposal aims to rebrand and reconfigure the car park to create a building that sits well within the recently redeveloped retail offer to the east of the site. The belief is that by improving the condition of the car park, this will increase the chances of attracting new tenants to the vacant units in the town centre.

The external appearance of the car park gives the impression that the building is uncared for and unkempt. It is not inviting as it appears quite dark and unsafe.

The Design and Access Statement runs through how the final proposal was decided. The architects looked at several design solutions so the external appearance of the car park. The options were discounted for various reasons, including:

Option 1 - could easily be vandalised and would require repainting every few years. The design does not feel in line with the new clad buildings in the City Centre.

Option 2 - would require yearly maintenance due to the fins, and unless the fins were metal they could also be easily vandalised.

Option 3 & 4 - propose a more robust detail however the Client considered it was not complementary to the more contemporary buildings within the city centre.

Option 5 - would require a high maintenance and unfortunately it has been found that new vegetation has been exposed to public mistreatment.

The external elevations of the car park are proposed to compliment the appearance of the newly erected retail units to the east. The external finish to the retail units are a red copper kalzip metal cladding with both dark and light grey metal cladding, material which are reflected in the elevations for the car park. Lighting internally and externally is proposed to provide adequate lighting to give the feeling of security. The proposal would greatly improve the overall appearance of the existing, unkempt car park and would encourage visitors to Kirkby to utilise it.

The proposal would include the opening up of part of the eastern and part of the southern elevation of the car park, thus providing a larger, more inviting entrance for pedestrians. This part of the car park currently forms a retail unit, however, it has been vacant for some time and its appearance is screened by solid roller shutters.

During the consideration of the application, the roller shutters have been amended so that they are truly perforated (pin hole perforation was originally proposed) to allow views into and out of the car park.

The proposals would also include the provision for fifteen charge points for electric vehicles and cycle storage.

Signage is illustrated on the submitted plans, however, an informative will be added to the decision notice advising that advertisement consent may be required.

Conclusion

The proposals are acceptable in terms of design, layout, highway safety and would comply with Local Plan policy CS2 which seeks to ensure that the Local Planning Authority will maximise opportunities for regeneration of previously developed land, including derelict or unsightly areas to improve the image of Knowsley. The proposal would also comply with policy CS10 which seeks to improve the image and appearance of Kirkby Town Centre.

The proposals would be in compliance with the Local Plan policies and Saved UDP policies listed above.

Recommendation

Grant planning permission 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. Prior to commencement of development a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall include but not be limited to the following:
 - a. Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles [for each phase as necessary].
 - b. Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a trained Banksman (RoSPA or equivalent)
 - c. Construction staff parking arrangements

All site works shall then be carried out in accordance with the approved Plan unless otherwise agreed in writing beforehand with the Local Planning Authority

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with saved policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

4. The proposed development shall not be brought into use until precise scheme detail of the proposed cycle storage highlighted on Drawing 2.010 has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as agreed before any part of the development has been brought into use. For the avoidance of doubt, long stay cycle parking must offer a means to secure the cycles.

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

5. Notwithstanding Drawing No. 3.202 Rev * 'Proposed Elevations 02' submitted on 18/05/2023, the roller shutters hereby approved shall be solid from ground level to 1m high then open perforated in accordance with details submitted in an image received 18/05/2023.

Reason: 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.

Informatives:

1. The grant of planning permission does not authorise the erection of scaffolding, hoardings or any other device or apparatus on the highway. A license should be sought from the Council as Local Highways Authority. Contact Shirley Matthews, t: 0151 443 3034, email: Shirley.matthews@knowsley.gov.uk to discuss the matter further.
2. The Council's Highways team wishes to advise that part of the perimeter of the building is fronted by adopted highway.
3. The proposed advertisements indicated on the submitted plans require a separate Express Consent to Display Advertisements. Please contact the Council's Development Control Section (Tel: 0151 443 2381) for further advice).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
18/04/2023	0.001	REV A	LOCATION PLAN
18/04/2023	2.010	REV *	PROPOSED SITE PLAN
18/04/2023	2.101	REV A	PROPOSED FLOOR PLANS - 01
18/04/2023	2.102	REV A	PROPOSED FLOOR PLANS - 02
18/04/2023	2.103	REV *	PROPOSED FLOOR PLANS - 03
18/04/2023	2.104	REV A	PROPOSED FLOOR PLANS - 04
18/04/2023	2.201	REV A	PROPOSED ELEVATIONS - 01
18/05/2023	3.202	REV *	PROPOSED ELEVATIONS - 02

Signed Case Officer¹:

Jo Sheridan

**Signed Authorising
Officer²:**

K Foster

Date:

24 May 2023

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

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