

Knowsley Council  
Regeneration and Economic Development Directorate.  
Delegated Planning Report

|                               |                                                                                             |                             |                          |
|-------------------------------|---------------------------------------------------------------------------------------------|-----------------------------|--------------------------|
| <b><u>APPLICATION NO:</u></b> | 22/00734/FUL                                                                                | <b><u>CASE OFFICER:</u></b> | Andrew Hunt              |
| <b><u>WARD:</u></b>           | Halewood South                                                                              | <b><u>PARISH:</u></b>       | Halewood<br>Town Council |
| <b><u>LOCATION:</u></b>       | Land Off Leather's Lane, Adjacent To Higher Road, To The Rear Of<br>Halewood Police Station |                             |                          |
| <b><u>PROPOSAL:</u></b>       | INSTALLATION OF 1 NO. GLASS REINFORCED PLASTIC KIOSK<br>FOR GAS GOVERNOR                    |                             |                          |

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### **Site Description**

This application site is a grass verge to the south of Halewood Police Station. The area is at the intersection of Higher Road and Leathers Lane. A pedestrian footpath runs through the middle of this area. There are trees and a bus stop to the east of the site and residential properties to the south (separated from the site by Higher Road).

### **Proposal**

The proposal is for the installation of 1 glass reinforced plastic kiosk for gas governor.

### **Consultations**

N/A

### **Representations**

This application has been publicised by letters sent to 18 neighbours. No representations have been received.

### **Planning History**

An application for a 20 metre high monopole was refused (20/00355/TEL – Refused 27/08/2023). Previous monopole applications have also been refused.

### **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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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  
CS21 - Greenspaces and Trees

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

N/A

#### **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**

##### **Principle of development**

The application is for a minor street furniture works that are essential infrastructure. Only a small part of the open space area would be built on and the function of the remaining open space would not be affected. The works are essential infrastructure to support the efficient operation of the gas network and to service new housing development within the Halewood area.

A relevant consideration is that a smaller kiosk (less than 29 cubic metres) would be permitted development, the proposal is 30.99 cubic metres, which means that it is only 2 cubic metres beyond permitted development limits. This additional 2 metres is minimal and does not cause material harm to open space.

The benefits of the provision of essential infrastructure outweigh any minor limited harm to the open space area. Therefore, it is considered that the development of a small part of the open space is acceptable in principle.

### **Streetscene**

The plastic kiosk would be around 2.5 metres high, when viewed from the south it would appear against a background of a large building (police station) which is significantly higher than the kiosk. Therefore, it would not be visually prominent from this direction. In addition, a condition is proposed to require the kiosk to be brick effect to blend into the area and reduce its visual impact. Subject to this there will be no harm to the streetscene.

### **Conclusion**

The proposal would be acceptable in principle and in relation to the Street scene. 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 following approved plans and documents :-

- a. Heavy Duty Kiosk General Arrangement V4 (Received 26/01/2023)
- b. Planning Statement – 001 - (Received 25/11/2023)
- c. Location Plan - (Received 25/11/2023)
- d. Proposed Site Plan - (Received 25/11/2023)

Reason: For the avoidance of doubt.

3. The proposed kiosk shall be constructed in a standard brick effect finish (as shown in email received 30 1 23).

Reason: In order to ensure the kiosk has an acceptable appearance and blends into its surroundings.

**Signed Case Officer:**

**Andrew Hunt**

**Signed Authorising  
Officer:**

**K Foster**

**Date:**

**22 February 2023**

**Informatives**

N/A

## **Appendix 1 – Site Photographs**

