

## 10 HUYTON CHURCH ROAD - HERITAGE STATEMENT

### SUMMARY

- This Heritage Statement is submitted in support of a planning application for the retention of Inclusive Access and Child Safeguarding Measures (including a wheelchair accessible ramp and parking area; secured gated pedestrian access and fencing) and an external pram shed at the existing Children's Day Nursery, Honey Pot Nursery at 10 Huyton Church Road, Huyton, L36 5SJ.
- The host building is unlisted but is situated in the Victoria Road and Huyton Church Road Conservation Area.
- This study finds that there are no adverse impacts on the significance of the Conservation Area.

### INTRODUCTION

- This report makes reference to the relevant legislation contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 and both national and local planning policy. In addition, relevant Historic England guidance, notably The Setting of Heritage Assets and Conservation Principles, has been consulted to inform the judgements made.
- The conclusions reached in this report are the result of historic research and the application of professional judgement.

### DESCRIPTION OF THE PROPERTY & LOCATION

- The building has accommodation over four floors, basement, ground, first and attic. There is an external, two storey annexe. It is currently used as a Children's Day Nursery.
- The Victoria Road and Huyton Church Road Conservation Area Revised Character Appraisal (2015) identifies the following key positive features of Huyton Church Road:
  - Highest concentration of historic buildings in the Conservation Area.
  - Contains a Grade II listed building (Park Hall).
  - Mature trees overhang the road, enhancing the Area's countrified character.
  - Most of the historic buildings appear to be in reasonable condition
- The character appraisal identifies that the section of the Conservation Area that has the largest collection of historic buildings is located on the eastern side of Huyton Church Road. The buildings here, namely Beech House (the application property) The Anchorage, and Lawrence House are fine examples of Victorian villas set in their own private grounds and reinforce the reasoning behind the area's designation.
- The application property is identified in the appraisal among a list of commercial and residential institutions within the Conservation Area. A specific note in the appraisal

at the time of its writing was as follows: The property has some fine detailing, that include both a mixture of Italianate features and Jacobean revival details. At present, the building appears to have recently been painted in colours that are not in a traditional palette. The red, beige and cream paintwork would benefit from being replaced with more subdued and muted tones to help the building realise its full potential and continue being a positive contribution to the Conservation Area.

- It should be noted that the current owners have repainted the front elevation of the building in subdued, muted tones in a neutral and traditional palette (cream and grey) in accordance with the above recommendation.
- It further mentions Beech House as follows: The front elevation has a mixture of Italianate features and Jacobean revival details. The latter include the odd expression of the jambs of the front doorway, and central first floor windows as pilasters that carry a plain section of jamb, which in turn carries the door hood or window lintel. The faceted keystones to the windows and small crest above the first floor window also hint at a Jacobean influence.

#### DESIGNATED HERITAGE ASSETS

- The application property is not a designated heritage asset
- The site lies within the Victoria Road and Huyton Church Road Conservation Area.

#### HERITAGE SIGNIFICANCE

- Conservation Principles, Policies and Guidance (English Heritage, April 2008) outlines Historic England's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in Historic England's own advice and guidance, the document is recommended to LPAs to ensure that all decisions about change affecting the historic environment are informed and sustainable.
- The guidance describes a range of heritage values which enables the significance of assets to be established systematically, with the four main heritage values being: evidential value; historical value; aesthetic value; and communal value.
- Evidential value derives from the potential of a place to yield evidence about past human activity. Evidential value derives from the physical remains that have been inherited from the past. The ability to understand and interpret the evidence tends to be diminished in proportion to the extent of its removal or replacement. As such, the external elevations of the property retain moderate evidential value, derived from the building's relatively large size.
- Internally, the building retains some evidential value of the which may indicate the form or appearance of the original building.

- Historical value derives from the ways in which past people, events and aspects of life can be connected through a place to the present. The property lacks associative historical value because it has no known connection with any notable family, person, event, or movement. It also largely lacks illustrative historical value because of the substantial loss of internal evidence.
- Communal value derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory. As such, the property is one of many older buildings that link the area's present to its past, but it does not have a specifically elevated value in this respect.
- Aesthetic value derives from the ways in which people draw sensory and intellectual stimulation from a place. As a sizeable building in a well-preserved conservation area, the building has moderate aesthetic value externally. It makes a positive contribution to the conservation area's character and appearance. Because of past conversion, the building has no corresponding internal aesthetic value.

## PLANNING POLICY FRAMEWORK

- The current national legislative and planning policy system identifies, through the National Planning Policy Framework (NPPF), that applicants should consider the potential impact of development upon 'heritage assets'. This term includes designated heritage assets which possess a statutory designation (for example listed buildings and conservation areas); and non-designated heritage assets, typically compiled by Local Planning Authorities (LPAs) and incorporated into a Local List or recorded on the Historic Environment Record.
- Legislation
- Where any development may affect certain designated heritage assets, there is a legislative framework to ensure proposed works are developed and considered with due regard to their impact on the historic environment. This extends from primary legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- The relevant legislation in this case extends from section 16/66 of the 1990 Act which states that special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving or enhancing listed buildings and their setting.
- The meaning and effect of these duties have been considered by the courts in recent cases, including the Court of Appeal's decision in relation to Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137.
- The Court agreed within the High Court's judgement that Parliament's intention in enacting section 66(1) was that decision makers should give 'considerable importance

and weight' to the desirability of preserving (i.e. keeping from harm) the setting of listed buildings.

- Section 69(1) of the Act requires LPAs to 'determine areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' and to designate them as conservation areas. Section 69(2) requires LPAs to review and, where necessary, amend those areas 'from time to time'.
- For development within a conservation area section 72 of the Act requires the decision maker to pay 'special attention [...] to the desirability of preserving or enhancing the character or appearance of that area'. The duty to give special attention is considered commensurate with that under section 66(1) to give special regard, meaning that the decision maker must give considerable importance and weight to any such harm in the planning balance.

#### NATIONAL PLANNING POLICY: NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- The NPPF is the principal document that sets out the Government's planning policies for England and how these are expected to be applied.
- It defines a heritage asset as a: 'building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. This includes both designated and non-designated heritage assets.
- Section 16: Conserving and Enhancing the Historic Environment relates to the conservation of heritage assets in the production of local plans and decision taking. It emphasises that heritage assets are 'an irreplaceable resource and should be conserved in a manner appropriate to their significance'.
- For proposals that have the potential to affect the significance of a heritage asset, paragraph 200 requires applicants to identify and describe the significance of any heritage assets that may be affected, including any contribution made by their setting. The level of detail provided should be proportionate to the significance of the heritage assets affected. This is supported by paragraph 201, which requires LPAs to take this assessment into account when considering applications.
- Under 'Considering potential impacts' the NPPF emphasises that 'great weight' should be given to the conservation of designated heritage assets, irrespective of whether any potential impact equates to total loss, substantial harm or less than substantial harm to the significance of the heritage assets.
- Paragraph 207 states that where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph

208 requires this harm to be weighed against the public benefits of the proposed development.

- Paragraph 209 states that where an application will affect the significance of a non-designated heritage asset, a balanced judgement is required, having regard to the scale of harm or loss and the significance of the heritage asset.
- Paragraph 212 notes that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset should be treated favourably.
- Furthermore, paragraph 213 states that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. When determining the impacts arising from the loss of a building or element that does positively contribute, consideration should be given to the relative significance of that building and the impact to the significance of the Conservation Area or World Heritage Site as a whole.

#### NATIONAL GUIDANCE: PLANNING PRACTICE GUIDANCE (DCLG)

- The Planning Practice Guidance (PPG) has been adopted in order to aid the application of the NPPF. It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.
- Key elements of the guidance relate to assessing harm. It states that substantial harm is a high bar that may not arise in many cases and that while the level of harm will be at the discretion of the decision maker, generally substantial harm is a high test that will only arise where a development seriously affects a key element of an asset's special interest. It is the degree of harm, rather than the scale of development, that is to be assessed.
- Probably the most relevant paragraph of the PPG is paragraph : 015 Reference ID: 18a-015- 20190723 on the "optimum viable use" of a heritage asset:
- What is the optimum viable use for a heritage asset and how is it taken into account in planning decisions?
- The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.
- By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a

pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

- It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.
- If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes...
- Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised...

#### CONSERVATION PRINCIPLES, POLICIES AND GUIDANCE (ENGLISH HERITAGE, APRIL 2008)

- Conservation Principles outlines Historic England's approach to the sustainable management of the historic environment. While primarily intended to ensure consistency in Historic England's own advice and guidance, the document is recommended to LPAs to ensure that all decisions about change affecting the historic environment are informed and sustainable.
- The guidance describes a range of heritage values which enables the significance of assets to be established systematically, with the four main heritage values being: evidential value; historical value; aesthetic value; and communal value.

#### LOCAL PLANNING POLICY

- Knowsley Council adopted the Local Plan Core Strategy in January 2016 and is a strategic document, establishing the vision, spatial strategy and area priorities. AS such it doesn't include site-specific or detailed development management policy.
- Policy CS20 Managing the Borough's Historic Environment requires that development proposals in Knowsley should preserve or enhance the borough's historic and architectural assets, including Listed Buildings, Conservation Areas, Historic Parks and Gardens and archaeological remains, together with other local areas, buildings and structures of historic importance. The Council will: a) Require preservation of the local distinctiveness and character of historic assets through sensitive design of new development, including appropriate integration with their setting and immediate landscape; b) Prevent demolition and/or development which would result in substantial harm or the loss of a designated historic asset or its setting, unless the proposal would result in substantial public benefits which clearly outweigh the harm or loss; c) Where a development proposal will result in less than substantial harm to a designated heritage asset or its setting, assess such harm against the benefits of the

proposal; d) Facilitate long term conservation and enhancement of local assets and areas of historic importance, including through the preparation of Conservation Area Management Plans.

- With respect to conservation areas, the Core Strategy explains that the designation of an area as a Conservation Area ensures that important local buildings are protected from unauthorised demolition and that new development is expected to integrate appropriately with the special character of the area, even if previous unsympathetic developments exist. The general presumption is always in favour of the preservation of buildings or structures that make a positive contribution to the character and appearance of a Conservation Area. This approach is not intended to prevent change or development, but to ensure that where change does take place, it helps to preserve or enhance the special character of the area.
- Core policy CP3 sets out that all development proposals should seek to among other considerations: 1. Provide an efficient use of land and buildings, which will minimise the need to build on undeveloped greenfield sites to meet overall development needs; 2. Provide a high design quality which will respond to and enhance the characteristics of the site and its surrounding area; 3. Protect and enhance the environment and amenities of people who live, work in and visit Knowsley.
- Chapter 11 deals in further details with Development Quality and the Built Environment and sets out under Policy DQ5, in line with national and strategic policy, that in conservation areas, development should preserve or enhance the character or appearance of the area.
- Policy DQ6 states in respect of demolition of unlisted structures in a conservation area will be permitted where the building or structure makes no existing or potential future positive contribution to the character or appearance of the Conservation Area.

## THE PROPOSED DEVELOPMENT

- The application proposal is for the retention of inclusive access and child safeguarding measures which have been implemented at the site including:
- Alterations to ramp access to provide assisted wheelchair access in accordance with The Equality Act 2010 and Early Years Foundation Stage Statutory Framework.
- Parking for wheelchair users adjacent to wheelchair access ramp, in accordance with The Equality Act 2010.
- Secure, gated pedestrian access which prevents vehicle/pedestrian conflict arising from vehicular movement in the car park in accordance to meet with safety and welfare requirements as per legislation.
- Erection of boundary fence to the front of the site to prevent unauthorised access and to safeguard children at the site. It should be noted that for safeguarding reasons, Children's Day Nurseries are obliged by Ofsted to have clear procedures to prevent unauthorised people entering the premises. In addition, it is imperative that children are safe and secure within the nursery premises. This is to prevent incidents such as occurred on 16 May 2023 when a three year old boy left Elmhouse Day Nursery in

Stone, Staffordshire through a damaged fence and crossed a busy road sparking immediate intervention from Ofsted: <https://www.itv.com/news/central/2023-07-20/boy-3-escapes-nursery-and-left-standing-in-middle-of-busy-road>

- An External Pram Shed to store pushchairs and prams dry and secure.

## ASSESSMENT OF HERITAGE EFFECTS

- The proposals have no adverse impacts on evidential, historical, communal or aesthetic values of the host building.
- The proposals have no impact on the historic fabric of the building and do not impact on any features mentioned in the Conservation Area Appraisal including:
  - i. Status as a Victorian Villa
  - ii. Fine detailing
  - iii. Italianate Features
  - iv. Jacobean Revival Details
  - v. Expression of the jambs of the front doorway,
  - vi. Central first floor windows
  - vii. Faceted keystones to the windows
  - viii. Crest above the first floor window.
- The proposals have a slight impact on the setting of the host building as they are visible from when passing the site. Any perceived less than substantial harm is outweighed by the public benefits which arise from providing safe, secure, wheelchair accessible childcare provision in the Borough of Knowsley.
- The proposals have no adverse impact on the features of Huyton Church Road which are mentioned as significant to character in the Conservation Area Appraisal, including:
  - i. Highest concentration of historic buildings in the Conservation Area.
  - ii. Contains a Grade II listed building (Park Hall).
  - iii. Mature trees overhang the road, enhancing the Area's countrified character.
  - iv. Most of the historic buildings appear to be in reasonable condition
- The proposals will result in no significant adverse impacts on the heritage significance of the wider conservation area.

## CONCLUSIONS

- This Heritage Statement is submitted in support of a planning application for the retention of inclusive access and child safeguarding measures implemented at the existing Children's Day Nursery.
- The host building is unlisted but is located within a Conservation Area.

- This study finds that the proposed change of use will have no adverse impacts on the significance of the Victoria Road and Huyton Church Road Conservation Area and that the building will continue to play an important and positive role in the locality.
- It is respectfully requested that planning permission be granted without delay in accordance with the Public Sector Equality Duty which has legal force owing to the Equality Act 2010.