

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 23/01371/FUL **CASE OFFICER:** Andrew Hunt

WARD: St Gabriels **PARISH:** N/A

LOCATION: 55, 57, 59, 61, 63 & 65 Derby Road & Lansdowne Way, Huyton
Knowsley, L36 9UQ

PROPOSAL: CHANGE OF USE AND REFURBISHMENT OF EXISTING BUILDINGS TO INCLUDE GROUND FLOOR RETAIL RETAINED, FIRST FLOOR OFFICES AND SECOND FLOOR GYM, SHOP FRONT UPGRADES TO 55-65, CANOPY ALTERATION, FACADE UPGRADE TO INCLUDE CLADDING, LIGHTING AND GREEN WALL, CLADDING/LIGHTING TO UNDERSIDE OF CANOPY OF LANSDOWNE WAY, ALTERATIONS TO SIDE/REAR ELEVATIONS INCLUDING FIRST FLOOR REAR TERRACE. ACCESS TO GYM/OFFICES, INSTALLATION OF SOLAR PANELS AND ASSOCIATED WORKS.

Site Description

The application site is a number of shops within Huyton Town Centre, the row of shops are on the east side of the main street of Huyton Town Centre (Derby Road) and include part of Lansdowne Way. There is a multi storey car park to the east of the site.

Proposal

The proposal is for the change of use and refurbishment of existing buildings to include ground floor retail retained, first floor offices and second floor gym, shop front upgrades to 55-65, canopy alteration, façade upgrade to include cladding, lighting and green wall, cladding/lighting to underside of canopy of Lansdowne way, alterations to side/rear elevations including first floor rear terrace, access to gym/offices, installation of solar panels and associated works.

Consultations

Environmental Health - No objection subject to conditions in relation to noise, fixed plant, a construction management plan and construction hours.

Town Centre Manager – Overall, very supportive of the works, however, have some concerns in relation to the works impact on town centre and the maintenance of the Green Roof.

Representations

This application has been publicised by letters sent to 52 neighbours. No comments have been received.

Planning History

Numerous applications have been approved at the site, however these are not directly relevant to the current proposal.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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
CS6 - Town Centres and Retail Strategy
CS19 - Design Quality and Accessibility in New Development
CS23 - Renewable and Low Carbon Infrastructure

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

In relation to the principle of development, the proposed uses of ground floor retail, first floor offices and second floor gym are considered to be acceptable in principle within a Town Centre. Therefore, the application is considered acceptable in principle.

Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

The majority of changes are to the interior of the building. Of these, the majority of these changes will have minimal impact on neighbouring occupiers. However, a Gym is proposed, there is an existing boxing Gym at second floor level. There are a number of restrictions proposed on the gym which will reduce noise impacts to neighbouring premises. Provided these are secured via condition there will be no harm to neighbours.

The external changes are mostly cosmetic and do not impact on amenity. The main changes are the external roof terrace at first floor level and alterations at ground floor level at the rear. As the roof terrace is surrounded by buildings there will not be significant noise outside the site and the other changes will not harm the amenity of neighbouring occupiers.

In relation to construction hours, a condition to restrict construction hours would be unnecessary due to the small scale of works and undesirable as this would force work to be undertaken during busy shopping hours creating more disruption. A fixed plant noise condition would also be unnecessary due to the absence of residential properties nearby.

Overall, there would be no harm to amenity.

Design/Streetscene

The proposed changes are considered to improve the visual appearance of the site within the street scene. The materials are considered to be of a modern high quality specification with an attractive frontage presented to Derby Road and Lansdowne Way. The design of the scheme is considered to be attractive with green wall and landscaped areas and is an improvement over the current elevations.

Other Considerations

The proposal would also provide benefits in terms of providing self-sufficient renewable energy generation in accordance with Core Strategy Policy CS23.

Details of maintenance has been submitted and will be secured via a condition to ensure appropriate maintenance of the green planting areas.

Conclusion

The proposal would be acceptable in principle and in relation to Neighbour amenity and the streetscene. 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. Proposed Second Floor Plan – Rev 1 (received 21/11/2023).
- b. Design and Access Statement - (received 17/10/2023).
- c. Living Wall Plant Box Specification - (received 17/10/2023).
- d. Noise Impact Report - (received 17/10/2023).
- e. Commercial Entrance 3D Image - (received 17/10/2023).
- f. Lansdowne Way 3D Image - (received 17/10/2023).
- g. Derby Road 3D Image - (received 17/10/2023).
- h. Green Wall and Planting - (received 17/10/2023).
- i. Timber Cladding and Canopy - (received 17/10/2023).
- j. Tile and Shopfront Cladding - (received 17/10/2023).
- k. Solar Panels Section Proposed - (received 17/10/2023).
- l. Proposed Rear and right side elevation - (received 17/10/2023).
- m. Proposed Front and Left side elevation - (received 17/10/2023).
- n. Reflective Ceiling Plan - (received 17/10/2023).
- o. Proposed Roof Plan - (received 17/10/2023).
- p. Proposed First Floor Plan - (received 17/10/2023).
- q. Proposed Ground Floor Plan - (received 17/10/2023).
- r. Site Layout Plan - (received 17/10/2023).
- s. Location Plan - (received 17/10/2023).

Reason: For the avoidance of doubt.

- 3) **Construction Management Plan**

No part of the development hereby permitted shall be commenced until a construction management plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following:

- Access routes of commercial vehicles to the site (this should avoid Derby Road which is pedestrianized during shopping hours 9-5).
- Timing of Works to Derby Road (this should ideally be outside of peak shopping hours of (9-5).
- Timing of works to Lansdowne Way (to minimise any closure of this route).

All site works shall then proceed only in accordance with the approved management plan.

Reason: In order to minimise construction impacts on Huyton town centre.

4) Green Planting

The Green wall and planting shall be maintained in accordance with the details provided in the email of 24/11/23.

Reason: to ensure adequate maintenance of the Green Planting.

5) Gym Noise Measures

Prior to the occupation of the gym/offices the recommendations as per the noise report, included with the application, (Noise Impact Report, Spratt and Hamer, Dated 25/09/23, reference: 21154) shall be implemented in full. The ongoing measures required shall be complied with in full at all times the gym remains operational.

Reason: to protect the amenity of neighbouring occupiers.

Signed Case Officer¹: **Andrew Hunt**

Signed Authorising
Officer²: **K Foster**

Date: **4 December 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

2 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

1) N/A