



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

This application is subject to a Section 106 Agreement and needs to be read in conjunction with that Agreement.

PLANNING PERMISSION

Application No: 21/00959/FUL

Name and address of applicant

Knowsley (Image Business Park) Ltd
180 Piccadilly
London
W1J 9HF
UK

Name and address of agent

Hale Architecture Limited
22c Leathermarket Street
London
SE1 3HP

Date of Receipt: 20 December 2021

Date Valid: 5 January 2022

Address/Location Of Development:

Imagination 2
Image Business Park
Acornfield Road
Knowsley Industrial Park
Kirkby
Knowsley

Description of Development:

ERECTION OF A DETACHED INDUSTRIAL BUILDING (MIXED E(G)(III), B2 & B8 USES) WITH ANCILLARY OFFICES, CAR PARKING, SERVICE AREA AND SOFT LANDSCAPING

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

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 building 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. The development shall be carried out only in accordance with the agreed schedule of materials.

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.

4. A. Contaminated Land Risk Assessment

No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (were relevant):

- i. a survey of the extent, scale and nature of contamination;
- ii. an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland,
 - service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

B. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented, and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local

Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

E. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

F. Importation of Soil/Material

No topsoil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and agreed in writing to by the Local Planning Authority.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. No construction work shall take place outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

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

6. Fixed plant and equipment associated with the development shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time-period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a penalty as per the methodology set out in BS 4142:2014+A1:2019, Methods for Rating and Assessing Industrial and Commercial Sound. Noise limits for fixed plant are to apply at a position 1 metre from the closest affected window of the nearest noise sensitive property.

Reason: To safeguard local residents from noise and disturbance, and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

7. The development shall not be brought into use until the areas indicated on Site Plan Drawing 21065 - PL1002 Rev E (received 4th January 2022) to be set aside for parking, servicing, vehicular manoeuvring, and pedestrians have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

8. 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.
- b) A scheme for the control of noise
- c) 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 Banksman.
- d) Construction staff parking arrangements
- e) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
- f) Methods for dust control and suppression.
- g) A programme of works including phasing, if applicable.
- h) Adequate provision for addressing any abnormal wear and tear to the highway, if applicable.

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 Policies H5, and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS2 of the Core Strategy, adopted January 2016.

9. The proposed development shall not be brought into use until precise scheme detail of the proposed cycle storage highlighted on Site Plan Drawing 21065 - PL1002 Rev E (Received 4th January 2022) have 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. The cycle stores must be retained for use. 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.

10. During the construction phase of the development, Reasonable Avoidance Measures (RAMs) must be implemented to safeguard any amphibian and reptile wildlife that may be present at the site. The RAM's should include the following:
 - Toolbox talk to ensure the working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians and reptiles from seeking shelter or protection within them;
 - Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians and reptiles present to move away from the affected areas; and
 - Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians and reptiles from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians and reptiles.

Reason: To ensure that adequate protection measures are in place for great crested newts, which are a priority species to ensure compliance with Policy CS8 in the Knowsley Local Plan Core Strategy adopted 2016.

11. During the construction phase of the development, Reasonable Avoidance Measures (RAMs) must be implemented to safeguard any mammalian wildlife (including badgers and hedgehogs) that may be present at the site. The RAM's should include the following:
- A pre-commencement check for badger;
 - All trenches and excavations should have a means of escape (e.g. a ramp);
 - Any exposed open pipe systems should be capped to prevent mammals gaining access; and
 - Appropriate storage of materials to ensure that mammals do not use them.

Reason: To ensure that adequate protection measures are in place for hedgehogs which are a priority species to ensure compliance with Policy CS8 in the Knowsley Local Plan Core Strategy adopted 2016.

12. Prior to the first occupation of the building, a lighting scheme taking into account the possible habitat of bats to the north of the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include drawings of the lighting and lighting columns, a site layout indicating positions of the lighting, isolux and luminosity details and manufactures specifications. The lighting shall be installed in accordance with the approved scheme.

Reason: To ensure the protection of bats and their habitats from excessive light spillage to ensure compliance with Policy CS8 in the Knowsley Local Plan Core Strategy adopted 2016.

13. No tree felling, scrub clearance or hedgerow removal is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted to the Local Planning Authority for written approval and the works to be carried out in accordance with the approved details.

Reason: To mitigate for the loss of bird nesting habitat and to ensure compliance with Policy CS8 in the Knowsley Local Plan Core Strategy adopted 2016.

14. Prior to commencement of development a Landscape and Ecological Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall include but not be limited to the inclusion of bat and bird nesting boxes. The approved details shall be implemented prior to the occupation of the building.

Reason: To mitigate for the loss of bird nesting habitat and to ensure compliance with Policy CS8 in the Knowsley Local Plan Core Strategy adopted 2016.

15. 15. Prior to the first occupation of the building, full details of the provision of photovoltaics (as contained within the approved Energy Statement document) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the building.

Reason: To reduce carbon emissions in accordance with Knowsley Local Plan Core Strategy Policies CS2, CS11 and CS22.

16. The development hereby permitted shall not be commenced until a scheme for the provision and implementation of a surface water regulation system to manage the risk of flooding from both overland flow and from the sewer network, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include hydraulic calculations for a 1 in 30 yr storm and a 1 in 100yr storm with

30% climate change. The agreed scheme shall be implemented prior to the first occupation of the development. The surface water drainage scheme should be consistent with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. For the avoidance of doubt, surface water must drain at the restricted rate of 20 l/s. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding. To ensure a satisfactory drainage system is provided to serve the site in accordance with Paragraph 163 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and Policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

17. Prior to occupation of the development, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development. To ensure effectiveness of the flood risk measures during the lifetime of the development policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

18. No part of the development hereby permitted shall be commenced until at least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in the Arboriculture Method statement received 04/03/2022 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete. No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

19. All hard and soft landscape works shall be carried out in accordance with the approved details shown on the approved plans in Schedule 1. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those

originally required to be planted and ensuring all tree stakes and ties are removed 3-5 years after planting, so the ties don't strangle the trees.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the National Planning Policy Framework.

20. No development shall commence until details of all retaining structures have been submitted to and approved in writing by the Council as Local Planning Authority. Details must include:
- a) structural information of the retaining wall
 - b) appearance of the retaining wall
- The approved scheme shall be implemented in full prior to the first occupation of the building.

Reason: In the interests of ensuring an acceptable standard of public realm and visual amenity, to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
04/01/2022			DESIGN & ACCESS STATEMENT (DECEMBER 2021)
04/01/2022		ISSUE 2	ENERGY STRATEGY (NOVEMBER 2021)
04/01/2022	2159/EH/AMS00 1A		ARBORICULTURAL METHOD STATEMENT (DECEMBER 2021)
04/01/2022	2159/EH/AIA001		ARBOROCULTURAL IMPACT ASSESSMENT (OCTOBER 2021)
04/01/2022			TRANSPORT STATEMENT (OCTOBER 2021)
04/01/2022	21065-PL1000	REV A	SITE LOCATION PLAN
04/01/2022	21065-PL1001	REV DR	EXISTING SITE PLAN
17/05/2022	21065-PL1002	REV G	PROPOSED SITE PLAN
26/05/2022	9865-PTA-XX-XX-DR-C-8300	REV P06	PROPOSED LEVELS
04/01/2022	9865-PTA-XX-XX-DR-C-8350	REV P02	PROPOSED SECTIONS OVERVIEW
04/01/2022	9865-PTA-XX-XX-DR-C-8351	REV P02	PROPOSED SECTIONS
04/01/2022	21065-PL1003	REV A	PROPOSED BLOCK PLAN
04/01/2022	21065-PL1010	REV B	GA GROUND FLOOR PLAN

04/01/2022	21065-PL1011	REV A	GA GF MAIN ENTRANCE & FF OFFICE PLAN
04/01/2022	21065-PL1012	REV B	ELEVATIONS
04/01/2022	21065-PL1013	REV A	ROOF PLAN
26/05/2022	21-59-02	REV D	TREE PROTECTION PLAN
04/01/2022	21-59-01	REV -	TREE RETENTION & REMOVAL PLAN
26/05/2022	21-59-03	REV F	PLANTING PLAN
17/05/2022	SP20222244	REV 5.0	TYPICAL FOUNDATION PLINTH FOR 11KV UNIT SUBSTATION WITH 3.0 X 2.45M GRP ENCLOSURE

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance: -

KNOWSLEY LOCAL PLAN CORE STRATEGY (JANUARY 2016)

CS1 - Spatial Strategy for Knowsley
CS2 - Development Principles
CS7 - Transport Networks
CS11 - Principal Regeneration Area - Knowsley Industrial and Business Parks
CS4 - Economy and Employment
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS21 – Greenspace and Trees
CS24 - Managing Flood Risk
CS27 - Planning and Paying for New Infrastructure

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

EC3 - Primarily Industrial Areas
T8 - Transport Assessments
T9 - Travel Plans
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV5 - Contaminated Land

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (Jo Sheridan on)

ARTICLE 35 STATEMENT

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached, then you will be liable to a breach of condition notice.

Informatives

1. Bicycle storage must be provided to security standard LPS 1175 Issue 8 AR1 / LPS 1175 SR1 set by the Loss Prevention Certification Board (LPCB). Similarly, a 'Sold Secure' standard to certification SS104 or SS314 can be provided
2. It would be helpful for the applicant to refer to *Bat Conservation Trust website* <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>
3. See Consultation response from United Utilities.

Executive Director - Regeneration and Economic Development

Date: 22 September 2022

IMPORTANT NOTES FOR YOUR ATTENTION:

1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.
2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.
3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.
4. A fee is normally payable to discharge planning conditions in accordance with government regulations.
5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.
6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.