



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: 24/00218/FUL

Name and address of applicant

DAVOS Industrial Limited
C/O Agent
Quod
21 Soho Street
London
W1D 3QP

Name and address of agent

Quod
21 Soho Square
London
W1D 3QP

Date of Receipt: 26 April 2024

Date Valid: 7 May 2024

Address/Location Of Development:

The Sovereign Distillery, Halewood Wines And Spirits - Factory Outlet
Wilson Road
Huyton
Knowsley
L36 6AD

Description of Development:

VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION
22/00109/FUL (DEMOLITION OF BUILDINGS AND THE ERECTION OF 2 NO.
INDUSTRIAL UNITS TOGETHER WITH THE PART DEMOLITION/PART
EXTENSION AND REMODELLING OF EXISTING INDUSTRIAL BUILDING TO
FORM 7 NO. UNITS (USE CLASSES E (G)(II) (III), B2 AND B8) WITH ANCILLARY
OFFICE SPACE.

RECONFIGURATION OF CAR PARKING INCLUDING SERVICE AND VEHICULAR
CIRCULATION AREAS) TO ALLOW FOR AN AMENDMENT TO THE LAYOUT OF
UNIT C TO COMPRISE THE ERECTION OF TWO SPRINKLER TANKS TO THE
SERVICE YARD, A PUMP HOUSE, A COMPRESSOR ROOM, A CANOPY TO THE
WESTERN ELEVATION OF THE BUILDING , THE INSTALLATION OF AN
LIQUEFIED PETROLEUM GAS STORAGE AREA AND ALTERATION TO CAR
PARKING LAYOUT.

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 hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

2. The development shall be carried out in accordance with the schedule of materials approved pursuant to condition 3 attached to planning permission 22/00109/FUL.

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.

3. No part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- b) hard surfaced areas and materials,
- c) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work. (including the incorporation of species rich grassland into landscaping areas on site and new native tree and shrub planting to replace that being lost)
- d) existing plants / trees to be retained
- e) tree replacement scheme for the 5 individual trees to be removed on a 2:1 basis with a minimum girth of 12-14cm.
- f) incorporation of species rich grassland into landscaping areas and new native tree and shrub planting to replace that being lost.
- g) A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the first occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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 Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

4. The tree protective fencing referred to in the arboriculture report ref B029861 submitted pursuant to planning application 22/00109/FUL 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.

5. All works which form part of the mitigation measures as detailed within the Noise Assessment (Network Space Ltd, Sovereign Business Park, February 2022, report ref: 784-B029681) shall be implemented in full in accordance with the scheme as agreed prior to the first occupation of the development and shall be retained at all times the development is in use and maintained in accordance with the approved scheme. Documentary evidence of the implementation of the works shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development.

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.

6. Fixed plant and machinery 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. Contaminated Land

A. Implementation of Approved Remediation Scheme

The remediation scheme approved pursuant to Condition 8 attached to planning permission 22/00109/FUL 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.

B. 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.

C. 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.

D. Importation of Soil/Material

No soil 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 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 approved 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

8. Prior to occupation of any unit hereby approved the drainage scheme approved pursuant to condition 9 attached to planning permission 22/00109/FUL shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and to ensure compliance with Policy CS24 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

9. All site works shall proceed only in accordance with the construction management plan approved pursuant to condition 10 attached to planning permission 22/00109/FUL 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 the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

10. The management and maintenance plan for the sustainable drainage system approved pursuant to condition 11 attached to planning permission 22/00109/FUL shall be implemented in accordance with the agreed timescales contained within it.

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.

11. The development shall not be brought into use until the approved parking and vehicular manoeuvring layout for the intended use class have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. For the avoidance of doubt, a use falling within class B2 or B8 shall be laid out in accordance with drawing . P0213546-AEW-SI-XX-DR-A-0503 Rev

P02. (Except for unit C which shall be laid out in accordance with Drg no 1001 Rev P02). For Units C, G1 or G2, any uses falling within either classes E (g)(ii) or (iii) parking shall be laid out in accordance with a revised car parking layout which has previously been submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the respective unit.

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

12. The proposed development shall not be brought into use until precise scheme details of the proposed cycle storage highlighted on Drawing A-0503 Rev P13 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed before any part of the development hereby permitted has been brought into 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 securely and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

13. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises to which this permission relates shall only be used for either Use Classes B2, B8 and E(g) (ii) and (iii) and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for a further change of use, whether or not it falls within the same Use Class and to comply with Policies CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

14. The car parking spaces serving units F1-F6 shall remain available to any users of said units within Block F and shall not be fenced, segregated, marked out, signed or otherwise reserved for specific users.

Reason: To ensure that parking is adequately utilised for units F1-F6 to avoid overspill parking, which may affect the passage of traffic into or out of the site to the detriment of highway safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

15. No part of the development hereby permitted shall be occupied prior to implementation of the Framework Travel Plan 26263-HYD-XX-XXRP-TP-6001- REV P2-S4. During the first year of occupation of each block (C, F, G1 or G2) a Full Travel Plan based on the Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Each approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment and to comply with saved policy T9 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

16. No part of the development hereby permitted shall be brought into use until a scheme for the provision of motorcycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. For the avoidance of doubt, parking must offer a means to secure the motorcycles.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
02/07/2024	10187-WPL-V1-ZZ-DR-A-1021-S4-P04	-	Proposed Pump House Compressor Room Elevations
02/07/2024	10187-WPL-V1-ZZ-DR-A-1025-S4-P02	-	Proposed Site Section through Bridgewater Way
02/07/2024	10187-WPL-V1-ZZ-DR-A-1020-S4-P03	-	Proposed External Canopy Elevations
12/06/2024	784-B066702	-	NOISE ASSESSMENT
07/05/2024	10187-WPL-V1-ZZ-DR-A-1030-S0-P01	-	Proposed LPG Storage Details
26/04/2024	10187-WPL-V1-ZZ-DR-A-1015-S4-P02	-	Unit C_Proposed Roof plan
26/04/2024	10187-WPL-V1-ZZ-DR-A-1010-S4-P02	-	Unit C_Proposed GA Floor Plans.
26/04/2024	10187-WPL-V1-ZZ-DR-A-1010-S4-P02	-	Proposed Site Layout Plan
10/02/2023	12211-AEW-XX-XXDR-A-0501-S2-P04	-	LOCATION PLAN
23/05/2022	B029681	-	ARBORICULTURAL REPORT
24/01/2023	26263-HYD-XX-XXRP-TP-6001-	REV P2-S4	AMENDED FRAMEWORK TRAVEL PLAN
18/02/2022	-	-	Habitat survey
01/09/2022	100.22042-ACE040-RP-C-0001-P1	-	DRAINAGE STRATEGY & FLOOD RISK ASSESSMENT
23/05/2022	-	-	SOCIAL VALUE STRATEGY
07/11/2022	-	-	BIODIVERSITY ENHANCEMENT SCHEME
07/11/2022	220712	-	INVASIVE SPECIES SURVEY RESULTS
10/11/2022	12211-AEW-XX-XXDR-A-0017-	-	PROPOSED SITE LEVELS PLAN

	S2-P01		
10/02/2023	12211-AEW-XX-XXDR-A-0503	REV P13	PROPOSED MASTERPLAN
14/02/2023	12211-AEW-XX-XXDR-A-0508	REV P02	AMENDED PEDESTRIAN CONNECTIVITY PLAN
01/02/2023	26263-HYD-XX-XXTP-DR-1009.	REVP0 1.01	SWEPT PATH - HGV NORTHERN ACCESS
01/02/2023	26263-HYD-XX-XXTP-DR-1008	REV P01.01	SWEPT PATH 16.5M HGV NORTHERN ACCESS
12/01/2023	12211-AEW-XX-XXDR-A-0509-	REV P1	MAXIMISED PARKING RATIOS PLAN
10/02/2023	12211-AEW-XX-XXDR-A-0504	REV P07	PROPOSED EXTERNAL SURFACES
24/01/2024	13546-AEW-G1-XX-DR-A-0563-S4-P02	-	UNIT G1 PROPOSED ELEVATIONS (AMENDED)
21/12/2023	13546-AEW-BF-ZZ-DR-A-0557-S4-P01-Unit F	-	UNIT F PROPOSED ELEVATIONS
21/12/2023	13546-AEW-G2-XX-DR-A-0523-S4-P01	-	UNIT G2 PROPOSED ELEVATIONS
21/12/2023	13546-AEW-BC-XX-DR-A-0537-S4-P02-Unit C	-	UNIT C PROPOSED ELEVATIONS
11/07/2022	12211-AEW-G1-XXDR-A-0561	REV P04	UNIT G1 - PROPOSED GA FLOOR PLANS
11/07/2022	12211-AEW-G1-XXDR-A-0562	REV P04	UNIT G1 - PROPOSED GA ROOF PLAN
18/02/2022	12211-AEW-BF-RFDR-A-0556-S2-P02	-	PROPOSED GA ROOF PLAN UNIT F
18/02/2022	12211-AEW-BF-RFDR-A-0556-S2-P02	-	PROPOSED GA FLOOR PLANS UNIT F
18/02/2022	12211-AEW-BF-ZZDR-A-0558-S2-P02	-	PROPOSED GA SECTIONS UNIT F
18/02/2022	12211-AEW-G1-XXDR-A-0564-S2-P02	-	PROPOSED GA SECTIONS UNIT G1
18/02/2022	12211-AEW-G2-RFDR-A-0522-S2-P03	-	PROPOSED GA ROOF PLANS UNIT G2
18/02/2022	12211-AEW-G2-XXDR-A-0521-S2-P03	-	PROPOSED GA FLOOR PLANS UNIT G2
07/11/2022	12211-AEW-XX-XXDR-A-0016-S2-P02	-	PROPOSED SECTIONS

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:-

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 (Mark Quinn on 0151 443 2381)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.

- 1 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design

which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

- 2 No scrub clearance, tree removal, vegetation management or building works are 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 buildings, scrub, trees and vegetation 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 for approval.
- 3 Please find attached correspondence from The Coal Authority (30th August 2022) United Utilities (18th August 2022), Cadent Gas (18th August 2022) Merseyside Fire Service (28th July 2022) from planning permission 22/00109/FUL
- 4 It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The grant of planning permission will require the developer to enter into an agreement under s278 of the Highways Act 1980 with the Council. The applicant is advised to contact the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.



Executive Director - Regeneration and Economic Development

Date: 23 July 2024

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.