

<u>APPLICATION NO:</u>	22/00214/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	Kt Pallets And Cases, Yardley Road, Knowsley Industrial Park		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY (USE CLASS B2) INDUSTRIAL BUILDING AND ASSOCIATED EXTERNAL WORKS.		

Site Description

The application relates to a site located on Yardley Road occupied by KT Pallets. The site accesses off Yardley Road widening after the access to the full width of the site. with the KT Pallets building therefore set back from Yardley Road, and with a building set in front outside of the application site. The site is linear extending back from the right of way access approximately 90m and from the rear of the KT Pallets building approximately 52.5m, with the width of the main part of the site being approximately 24.5m.

Proposal

The application seeks planning permission for the erection of a single storey general industrial (Use Class B2) building at the rear of the site with 9 car parking bays to the side. There would be access to the building to the side of the existing building, and that would have parking laid out to the rear. The external of the proposed building would be of light grey Kingspan profiled cladding and the roof would be pitched with light grey Kingspan roof panel covering. The gutter and eaves would be dark grey to provide some contrast. There would be a roller shutter door and a pedestrian access door on the front of the building with a fire exit door on the rear.

Consultations

Highway Authority - No objections but request a condition.
Environmental Health - No objections but request conditions.
Merseyside Fire and Rescue Authority - No objections in principle.

Representations

This application has been publicised by letters sent to 12 neighbours. It has also been advertised by Site Notice. No representations have been received.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

CS4 - Economy and Employment

CS7 - Transport Networks

CS11 - Principal Regeneration Area - Knowsley Industrial and Business Parks

CS19 - Design Quality and Accessibility in New Development

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

EC3 - Primarily Industrial Areas

ENV5 - Contaminated Land

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.

Assessment

The application seeks to planning permission for the erection of an industrial unit with an industrial estate and therefore is acceptable in principle subject to design and policy considerations.

Amenity Considerations

The proposed building would be of a simple design set behind the existing building and not readily visible from the highway. The building design and materials are typically found within industrial estates and would not be harmful to the visual amenity of the area. The laid-out car parking both for the proposed and existing likewise would not be detrimental to the amenities of the area, giving a semblance of order for the car parking. The Environmental Health Officer has requested a condition requiring the submission of a scheme to control noise and dust from site operations and to prevent the transfer of mud, together with an hours of construction condition.

However, given the relatively small scale of development and the location within the industrial estate it is considered that such conditions are unwarranted and do not meet the conditions test. As such those requested conditions are not recommended. It is considered that not attaching such conditions on this specific scheme will not result in loss of amenity, and if the specified issues do arise there is sufficient scope with the highways and environmental regulations to ensure that such do not cause issues.

The application therefore complies with Policies CS2, CS11 and CS19 of the Core Strategy and saved Policy EC3 of the UDP.

Highways Considerations

The access to the proposed building would be down the side of the existing building. The existing building is set back from Yardley Road but there is a right of way leading from the carriageway to the application confirmed on a submitted drawing. The proposed building would have 9 car parking spaces to the side, with the deliveries to the front by way of the roller shutter entrance. A further 7 car parking spaces would be laid out to the rear of the existing building, with 1 space to the side of that building. In total 17 spaces would be laid out. Secured cycle parking for both units would be sited to the side of the existing showroom linked to the rear of the existing building. Tracking has been provided with regards a rigid delivery 12m long truck and it is shown that such a vehicle could enter and leave the site in forward gear and without compromising the car parking areas.

The parking levels are acceptable and would ensure that there would be sufficient parking on site that on-street parking would not be required. Furthermore, the laying out of the parking to the rear and side of the existing building would regularise the parking for that unit making more efficient use of the parking area that would be maintained for that unit. The space within the site together with the siting of the unit and parking areas allow the manoeuvring of a typical delivery vehicle for the size of unit proposed. The Council Highways Engineer has no objection to the application as amended although requests that parking/servicing/vehicular manoeuvring area shown on drawing WLR/YR/06A Rev A is surfaced and laid out prior to the industrial unit coming into use.

The application therefore complies with Policies CS2, CS7 and CS19 of the Core Strategy and saved Policy EC3 of the UDP.

Contaminated Land

The site has been previously disturbed ground, and there were industries associated with ammunition, mineral railway, and engineering workshops associated with the locality. As such there is the potential for contamination and therefore a Phase 1 Risk Assessment is recommended to be carried out by way of a planning condition, with a Phase 2 Investigation and appropriate mitigation as necessary.

The application as such complies with Condition 2 of the Core Strategy and saved Policy ENV5 of the UDP.

Conclusion

The proposal is for a relatively small-scale industrial unit set back behind an existing unit within an industrial estate. The design, materials and parking are all satisfactory

and the proposal would not impact detrimentally on the amenities of the area or raises highway issues. The revised application complies with planning policy and is therefore recommended for approval subject to conditions.

Recommendation

That Planning Permission be granted 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) The development hereby permitted shall not be brought into use until the areas indicated on drawing WLR/YR/06A be set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) 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 Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 4) Risk Assessment

A Phase I site investigation shall be submitted for written approval prior to works commencing in order to establish whether there are any concerns of contamination from the current or previous use of the site or adjacent sites. This report shall include the results of a desk study, site walkover, and human health and environmental risk assessment.

If identified as necessary by the desk study a Phase 2 site investigation and remediation proposals shall be submitted for approval prior to works commencing. In any event the applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site. A site completion report shall be submitted for written approval prior to occupation confirming that encountered site conditions were as expected and detailing any necessary remedial actions.

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.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted June 2006 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) 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 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 CS2 of the Knowsley Local Plan Core Strategy adopted June 2006 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07/11/2022	WLR/YR/SPO1A	A	Location Plan showing right of way
24/01/2023	WLR/YR/SP02A	A	Proposed site plan
07/11/2022	WLR/YR/04A	A	Proposed front and rear elevations
24/01/2023	WLR/YR/05A	A	Proposed side elevations
07/11/2022	WLR/YR/01A	A	Proposed floor plan
24/01/2023	WLR/YR/06A	A	Proposed site plan showing car parking and swept path

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: K Foster

Date: 29 March 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 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:
- 2 Merseyside Fire Authority