

<u>APPLICATION NO:</u>	24/00451/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>	VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 22/00214/FUL (ERECTION OF A SINGLE STOREY (USE CLASS B2) INDUSTRIAL BUILDING AND ASSOCIATED EXTERNAL WORKS) TO ALLOW FOR AN INCREASE IN HEIGHT OF THE APPROVED BUILDING.		

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

Planning permission was granted 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. The access to the building is to the side of the existing building, and parking for that will be laid out to the rear of that building. The external walls of the approved building will be of light grey Kingspan profiled cladding, and the roof will be pitched with light grey Kingspan roof panel covering. The gutter and eaves will be dark grey to provide some contrast. There will be a roller shutter door and a pedestrian access door on the front of the building with a fire exit door on the rear.

This current planning application seeks to heighten the approved building by 1.5m, from a maximum height of 6.3m as approved to the proposed height of 7.8m. All other aspects are as previously approved, with the additional height needed for storage purposes.

Consultations

None required.

Representations

This application has been publicised by letters sent to 13 neighbours. No representations have been received.

Planning History

22/00214/FUL - ERECTION OF A SINGLE STOREY (USE CLASS B2) INDUSTRIAL BUILDING AND ASSOCIATED EXTERNAL WORKS. Granted:

29.03.2023.

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.

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

The principle of the erection of the building at the site has been established by virtue of planning permission 22/00214/FUL. Therefore this application is to assess the impacts of heightening the building by 1.5m, with all other aspects of the previously approved scheme remaining pertinent and as approved.

Visual Amenity

The building will be located at the back of the site, and with buildings between the road and application building will not be readily visible from the public highway. The building appearance will be the same as previously approved other than being 1.5m higher and it is considered the proposed change would not be detrimental to the visual amenities of surrounding properties or the area in general.

The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy EC3 of the UDP.

Highways Considerations

There is no additional floorspace proposed, or changes to the site layout. As such the highway considerations assessed with regards the 2022 application are the pertinent issues. A parking condition was attached to the previous approval, and as this is a S73 planning application should be attached to this planning permission is granted.

General Amenity

The application is to heighten an approved building with the industrial park, with no additional floorspace proposed, and as such it is considered would not impact on the amenity of the area.

Other Considerations

The previous planning approval, 22/00214/FUL had a contaminated land investigation condition attached. Whilst there have been some submissions with regard this condition, the condition has not been discharged and further information was requested in September 2024. Therefore should this application be granted planning permission that condition should be attached, as it is currently ongoing with regards the previous approval.

Conclusion

The S73 planning application proposes a relatively minor change to a previously approved scheme, by heightening the roof by 1.5m with no other changes to the building proposed. The proposal would have little additional impact over the previously approved planning application. The application complies with planning policies and is recommended for approval.

Recommendation

That Planning Permission be granted 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 building hereby permitted shall not be brought into use until the areas indicated on Site Layout Plan As Proposed dwg nos 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.

- 3) 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.

- 4) 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
21/08/2024	224/FA-OO6-04	REV A	PROPOSED FRONT AND REAR ELEVATIONS ELEVATIONS
21/08/2024	224/FA-OO6-03	REV A	PROPOSED SIDE ELEVATIONS
21/08/2024	224/FA-OO6-01	REV A	PROPOSED FOUNDATION PLAN,

			SECTION, COLUMN BASE PLATE AND DETAILS
21/08/2024	WLR/YR/06A	-	SITE LAYOUT PLAN AS PROPOSED
21/08/2024	WLR/YR/SP01A	-	O.S MAP

Signed Case Officer¹: **Lee Osborne**

**Signed Authorising
Officer²:** **K Foster**

Date: **17/10/2024**

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

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