

Regeneration and Economic Development Department

APPLICATION NO: 19/00610/NMA

APPLICANT: Henry Boot Barnfield Ltd

WARD AFFECTED: St Gabriels

DEVELOPMENT: NON MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 19/00610/FUL TO ALLOW FOR THE REMOVAL OF CONDITION NUMBER 22 RELATING TO THE REQUIREMENT TO SUBMIT A DESIGN SCHEME FOR AN ACOUSTIC BARRIER ALONG THE WEST BOUNDARY BEFORE ABOVE GROUND DEVELOPMENT COMMENCES

LOCATION OF SITE: Land At Coppice Lane, Between Cronton Road And M62 Motorway Sliproad (Junction 6), Tarbock, L35 1QY, ,

KNOWSLEY LOCAL PLAN ALLOCATION –

Land for Employment development - Land For Employment Development

Primary Industrial Area - Primarily Industrial Area

Site of Biological or Geological Interes - Site Of Biological Or Local Geological Interest

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

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

ENV2 - Noise and Vibration

TECHNICAL CONSULTATIONS:

Environmental Health - No objections.

NEIGHBOUR NOTIFICATION:

Not applicable.

ARTICLE 35

Not applicable.

ISSUES AND ASSESSMENT:

PROPOSAL

In January 2019 the council granted a hybrid planning permission (17/00301/HYB) comprising full planning permission for a food store and 1161 sq.m of B1/B2 use with associated car parking, landscaping, highway works, pumping station, substation and associated works including bund and noise attenuation boundary treatment along the western boundary of site; and outline planning permission for up to 7500 sq.m B1/B2 use, petrol filling station with up to 40o sq. m of associated A1 use, up to 1000sq.m of A3/A4 use (pub/restaurant) with associated car parking, servicing areas, highway works and other associated works with all matters reserved for future approval.

Subsequently two S73 approvals were granted linked to the conditions attached to the hybrid approval which was to allow for changes to conditioned delivery and waste collection times. The hybrid approval and subsequent s73 approvals were subject to conditions that required details of a bund and acoustic

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barrier to be submitted to and approved in writing by the local planning authority and implemented prior to the food store being brought into use (the food store is fully operational and has been for a number of months).

A reserved matters application for a petrol filling station and a coffee shop has been approved as has an application for a McDonalds drive-thru and restaurant (19/00610/FUL). These parts of the development were in a zone referred to as phase 2 in the hybrid permission.

This current application seeks to remove Condition 22 of 19/00610/FUL for the development of the McDonalds drive-thru and restaurant which requires the submission, approval and implementation of an acoustic barrier along the western boundary of the overall development site. The developer considers that such is not required whilst just the food store and the petrol filling station , coffee shop and Mc Donalds Drive Thru are in operation. They believe that only if phase 3 of the site (which covers a car dealership or industrial units) is developed might such a barrier be required.

DESIGN, ACCESS AND CRIME PREVENTION

The removal of the condition would have no effects on the appearance of the scheme.

HIGHWAYS

The removal of the condition would have no effects on highway matters.

RESIDENTIAL AMENITY

The principal consideration is whether the removal of the condition would affect residential amenity given that this was the reason the condition was attached in the first instance. The nearest residential property is the farmhouse adjacent the western boundary of the overall development site.

A noise report was submitted with the McDonalds application and Environmental Health have confirmed that for development of the petrol filling station, the coffee shop and the McDonalds it was demonstrated that no barrier was needed as due to the distance from the nearest residential properties (200m away) the noise would not have a significant impact.

A non material amendment has already been granted to change the timing of implementation of the bund on the hybrid permission to only require it to be agreed before the commencement of phase 3.

As such it is considered that although noise attenuation measures may be required should the phase 3 development come forward, they would not be required to safeguard amenity from the drive thru permission. Accordingly the removal of the condition from 19/00610/FUL would not have a material effect on amenity.

CONCLUSION

Taking the above into consideration and on reflection the acoustic barrier does not need to be implemented with the food store (time period has passed) or with phase 2/McDonalds and the food store as there will not be a significant impact on residential property (whilst the fixed plant noise condition will still hold to protect residential properties from potential plant noise). Therefore, it is considered appropriate that the condition can be removed. As such the application proposes a non material change.

RECOMMENDATION:

The non material amendment be granted.

Lee Osborne

14 May 2021

Alan Kilroe

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