



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00004/FUL

Name and address of applicant

Mulberry Waste Limited
Units 116 - 118 Clydesdale Place
Moss Side Industrial Estate
Leyland
PR26 7QS

Name and address of agent

Philip Lambert Architecture
3 Eastbourne Grove
Bolton
BL1 5TR

Date of Receipt: 5 January 2022

Date Valid: 26 January 2022

Address/Location Of Development:

Mulberry Waste Limited
Stockpit Road
Knowsley Industrial Park
Kirkby
L33 7TQ

Description of Development:

**RETENTION OF PORTAL FRAMED BUILDING; ANCILLARY PORTABLE TYPE
BUILDINGS AND CONTINUED USE OF THE SITE FOR WASTE TREATMENT,
RECYCLING AND TRANSFER STATION WITH ASSOCIATED SITE STORAGE**

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. Within 3 months of the date of this permission the roller shutter doors located within the operations building shown as 'Building A' on Drawing No. 00-04 Rev. D shall be painted green to match the building.

Reason: In the interests of visual amenity preserve the character and to comply with the National Planning Policy Framework (2023), Saved Policy EC3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

3. Permission for the portable type buildings associated with the approved use identified on Drawing No. 00-04 Rev. D as 'Building 1-Lab'; 'Building 2 - Canteen'; 'Building 3 Toilet Block' and '4 / 5 Offices', is for a limited period only. All aspects of the buildings shall be removed within 5 years of the date of this permission.

Reason: To enable for a temporary period facilities in association with the proposed operational requirements of the use permitted and to enable the Local Planning Authority to re-assess the proposal on expiry having regard to the temporary nature of the structures and to comply with the National Planning Policy Framework (2023), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy EC3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. Within 3 months of the date of this permission a scheme for the provision of a minimum of 6 no. cycle parking storage spaces shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

The scheme shall be implemented in accordance with the agreed details within two months of the date of the scheme being agreed.

Reason: To ensure that there is adequate provision for cycle parking that meets the needs of the proposed development in the interests of encouraging the use of sustainable modes of transport and to comply with the National Planning Policy Framework (2023) and Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

5. No external lighting or CCTV shall be installed on the application site except in accordance with precise scheme details that have first been submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include, but not be limited to:

- a) Lighting - siting; support structures; elevational and specification details; intensity of illumination and predicated lighting contours/ spill details.
- b) CCTV - siting of external cameras; specifications; support structures and detail of view paths.

The development shall be carried out only in accordance with the agreed details.

Reason: In the interests visual amenity; the amenity of adjoining land users and highway safety and to comply with the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policies EC3, DQ2 and ENV3 of the Knowsley Replacement Unitary Development Plan.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/10/2023	00-04	D	PROPOSED SITE PLAN AND VEHICLE TRACKING, LODGING PARKING AND STORAGE
12/10/2023	01-01	-	PROPOSED TEMP BUILDING 1 PLAN AND ELEVATIONS
12/10/2023	01-02	-	PROPOSED TEMP BUILDING 2 PLAN AND ELEVATIONS

12/10/2023	01-03	-	PROPOSED TEMP BUILDING 3 PLAN AND ELEVATIONS
12/10/2023	01-04	-	PROPOSED TEMP BUILDING 4/5 PLAN AND ELEVATIONS
11/01/2022	00-05	-	PROPOSED BUILDING A PLAN AND ELEVATIONS
25/01/2022	December 2021	-	DESIGN AND ACCESS STATEMENT (PHILIP LAMBERT DEC 2021)
25/01/2022	-	-	BRIEF OVERVIEW OF SITE OPERATIONS
24/01/2022	-	-	GDL TREATMENT AND TRANSPORT CHARGES - 2022 (CONTAINER DETAILS)
24/01/2022	-	-	MULTEC PRESENTATION (INFORMATION ON PROCESS)
24/01/2022	-	-	MERSEYSIDE WASTE LOCAL PLAN BOX 1 STATEMENT
24/01/2022	Issue 1	-	TRANSPORT STATEMENT (JAN 2022)
24/01/2022	-	-	WASTE STORAGE AND TRANSPORT CONTAINERS
11/01/2022	-	-	SITE LOCATION PLAN

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:-

National Planning Policy Framework

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

CS22 - Sustainable and Low Carbon Development

CS24 - Managing Flood Risk

CS26 - Waste Management

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

EC3 - Primarily Industrial Areas

T7 - New Development and Walking & Cycling Routes

DQ2 - Security in the Built Environment

ENV2 - Noise and Vibration

ENV3 - Light Pollution

ENV5 - Contaminated Land

The Joint Merseyside and Halton Waste Local Plan 2013

WM7 - Protecting Existing Waste Management Capacity for Built Facilities and Landfill

WM8 - Waste Prevention and Resource Management

WM11 - Sustainable Waste Transport

WM12 - Criteria for Waste Management Development

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

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 (Maxine Wishart 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.

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;

1. The applicant's attention is drawn to the comments of Merseyside Fire and Rescue Authority in their letter dated 9 February 2022, as attached.
2. The applicant's attention is drawn to the comments of United Utilities in their letter dated 23 February 2022, as attached.
3. Highways - Access - Draw Well Road
Should the situation change in future, i.e. where amendments to the access may be needed to help ensure the continued safe operation, then the applicant is strongly encouraged to contact the Local Planning Authority.

Executive Director - Regeneration and Economic Development

Date: 29 April 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.

Knowsley MBC
Planning Department
Municipal Buildings
Archway Road
Huyton
L36 9YU

Email: dcconsultations@knowsley.gov.uk

**Merseyside Fire & Rescue Authority
Community Fire Protection**

Planning & Building Regulations Team
Service Headquarters
Bridle Road
Bootle
Merseyside
L30 4YD

Telephone: 0151 296 4000 (Calls may be recorded)

Inspecting Officer: Linda Kirby

Email: planningandbuildingregulationsteam@merseyfire.gov.uk

Fax: 0151 296 4594 Office Hours

Web Site: www.merseyfire.gov.uk

Your ref: 22/00004/FUL

Our ref: CFP/877149/LK/CS

Date: 9th February 2022

Dear Sir / Madam

THE TOWN AND COUNTRY PLANNING ACT 1990

PLANNING APPLICATION NO: 22/00004/FUL

PROPOSAL: ERECTION OF 1 NO. BUILDING AND USE OF THE SITE FOR WASTE TREATMENT, RECYCLING AND WASTE TRANSFER ALONG WITH ASSOCIATED SITE WORKS.

ADDRESS: MULBERRY WASTE LIMITED, STOCKPIT ROAD, KNOWSLEY INDUSTRIAL PARK, KIRKBY, L33 7TQ

The Fire Authority requests that any decision notice includes the following information;

The plans relating to the above application have been examined and below are the Fire Authority's observations:

- * Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations.
- * Water supplies for fire-fighting purposes should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

Industry

- * The premises should comply with Section 55 of the County of Merseyside Act 1980.

Should you require any further information in respect of this correspondence please contact the Officer named above.

Yours faithfully,

Linda Kirby
Authorised Fire Safety Inspecting Officer
And on behalf of Merseyside Fire & Rescue Authority

Guidelines on flow requirements for firefighting

The following flows represent the ideal requirements on new developments and during permanent system changes.

Housing

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Transportation

Lorry/coach parks - multi-storey car parks - service stations.

All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any single hydrant on the development or within a vehicular distance of 90 metres from the complex.

Industry

The water supply infrastructure to any industrial estate should be as follows with the mains network on site being normally at least 150 mm nominal diameter—

Up to one hectare 20 litres per second.
One to two hectares 35 litres per second.
Two to three hectares 50 litres per second.
Over three hectares 75 litres per second.

Shopping, offices, recreation and tourism

Commercial developments of this type should have a water supply capable of delivering a minimum flow of 20 to 75 litres per second to the development site.

Education, health and community facilities

Village halls— Should have a water supply capable of delivering a minimum flow of 15 litres per second through any single hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary schools and single storey health centre's— Should have a water supply capable of delivering a minimum flow of 20 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

Secondary schools, colleges, large health and community facilities— Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

Knowsley Council
By email

Your ref: 22/00004/FUL
Our ref: DC/22/377
Date: 23-FEB-22

Dear Planning Team

**Location: Mulberry Waste Limited Stockpit Road Knowsley Industrial Park Kirkby L33 7TQ.
Proposal: Erection Of 1 No. Building And Use Of The Site For Waste Treatment, Recycling And
Waste Transfer Along With Associated Site Works.**

United Utilities wish to make the following comments regarding the proposal detailed above.

DRAINAGE

We request the following drainage condition is attached to any subsequent approval:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;***
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);***
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;***
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;***
and
- (v) Foul and surface water shall drain on separate systems.***

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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 promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

The applicant can discuss any of the above with Developer Engineer, **Gary Jaundrell**, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. You may find the condition below a useful example.

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.*

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

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.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

United Utilities will not allow building over or in close proximity to a water main.

United Utilities may not allow building over or in close proximity to a public sewer.

Public sewers cross the site. We require an access strip for maintenance or replacement of each sewer. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of each pipeline as this is likely to influence the required stand-off distance from any structure and/or whether diversion or building over might be considered.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

CONTACTS

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the '**Live Chat**' function, please visit:

<http://www.unitedutilities.com/builders-developers.aspx>

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering - DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk

Telephone - 0345 072 6067

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map.

We request that a copy of this letter is made available to the applicant.

Yours faithfully

The Planning, Landscape and Ecology Team