



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/00210/FUL

Name and address of applicant

Motor Fuel Group
Gladstone Place
36-38 Upper Marlborough Road
St Albans
AL1 3UU

Name and address of agent

CarneySweeney
Brunel House
2 Fitzalan Road
Cardiff
CF24 0EB

Date of Receipt: 4 April 2023

Date Valid: 11 April 2023

Address/Location Of Development:

**Whiston Service Station
240 - 242 Warrington Road
Prescot
Knowsley
L35 2UA**

Description of Development:

DEMOLITION OF CAR WASH AND JET WASH MACHINE AND THE CREATION OF CHARGING ZONE, ERECTION OF EV CHARGERS, ERECTION OF CANOPY, ONE JET WASH BAY, SUB-STATION ENCLOSURE AND ASSOCIATED FORECOURT WORKS.

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 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 jet wash facility hereby permitted shall not operate outside the hours of 8am - 8pm on any day.

Reason: To safeguard the amenities of nearby residents and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. Fixed plant and equipment associated with the development shall be designed to a level that is at least 4dB(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 the amenities of nearby residents and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. No part of the development hereby permitted shall be commenced until a construction / demolition management plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following:
 - Methods for the mitigation of noise and vibration from building works, including any piling works, and from the operation of any temporary power generation or pumping plant which will operate overnight.
 - Methods that can be put in place quickly, should odour control be required (there is potential for odour from the historic use of the site, particularly when ground excavations take place).
 - Methods for dust control and suppression.
 - Details of wheel washing facilities including location and type.
 - Areas for the storage of plant and materials.
 - Location of site compound.
 - Details of relevant pest control measures that will be put in place during the construction / demolition phase.
 - Details of construction and delivery times. Note: Hours of construction and deliveries of 8am - 6pm Monday to Friday, 8am - 1pm Saturdays and no working or deliveries on Sundays or Public Holidays are considered acceptable.

All site works shall then proceed only in accordance with the approved management plan.

Reason: To safeguard the amenities of nearby residents and in the interests of highway safety, and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

6. In the event that contamination is found at any time when carrying out the development hereby permitted 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 being brought into use.

Reason: In the interests of public safety and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

7. Notwithstanding submitted details the GRP cladding panels of the electrical substation hereby permitted shall be blue RAL 5015.

Reason: To match the steel work and panels of the EVCP bays in the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/11/2023	PHOTO	-	EXAMPLE PHOTO OF SUBSTATION
01/11/2023	EMAIL	-	EMAIL FROM AGENT STATING SUBSTATION WILL BE COLOURED GREY.
04/04/2023	13664-LP-1-145	-	LOCATION PLAN
04/04/2023	EEC/EC19707-2	0	MFG WHISTON NOISE IMPACT ASSESSMENT: ENVIRONMENTAL EQUIPMENT CORPORATION LTD; REF - EEC/EC19707-2 VERSION 0; ISSUE DATE 30 MARCH 2023.
04/04/2023	13664-P02-FS145	-	PROPOSED SITE LAYOUT
04/04/2023	13664-P03-FS145	-	EV CANOPY DETAIL
01/11/2023	13664-P04-FS145	A	SUBSTATION FLOOR PLAN AND ELEVATIONS
07/09/2023	13664-P05-FS145	A	JET WASH ELEVATIONS AND 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:-

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)

H5 - Development within Primarily Residential Areas

ENV2 - Noise and Vibration

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 (Lee Osborne on 0151 443 2395)

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. Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

Executive Director - Regeneration and Economic Development

Date: 8 November 2023

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.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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.