

<u>APPLICATION NO:</u>	23/00210/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Prescot South	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	Whiston Service Station, 240 - 242 Warrington Road, Prescot		
<u>PROPOSAL:</u>	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.		

Site Description

The application site is an operating petrol filling station (PFS) on Warrington Road. At the rear of the site there was a motorised car wash together with coin operated jet wash machine which have been decommissioned; a commercial hand car wash business operates from this south west part of the site, using high powered jet wash machines as well as vacuum cleaners. There is a canopy central to the site with the petrol/diesel pumps below and an associated retail kiosk adjacent. Along the eastern boundary site is a small car sales business and a funeral director's adjacent to that. Brook Street carriageway bounds the west of the site, with bollards across to ensure no access through to Warrington Road. Housing fronting Brook Street and fronting Steward Court is to the rear (to the south and south east respectively), with an access way between the end terrace house fronting Brook Street and the application site. There is housing to the north west of the funeral director's premises on Warrington Road and flats south west of the end of Brook Street on Warrington Road. Warrington Road in the vicinity of the site is two lanes in both directions, there is also the old Warrington Road serving dwellings and a shopping parade opposite, separated from the main Warrington Road by a linear grassed area with trees within.

Proposal

The application proposes 6 electric vehicle charging points (EVCP) where the decommissioned motorised car wash is located together where the current hand car wash is operating. As such the EVCP will be located along the southern boundary of the PFS site. A new substation with screening around is proposed adjacent the EVCP area in the south east corner of the site to support the EVCP bays. A new jet wash facility is proposed where the previous jet wash facility was located, adjacent the southern end of the sales kiosk building. The existing canopy, fuel pumps and sales kiosk will be retained and continue to operate as existing.

Consultations

Highway Authority - No objections.

Environmental Health -No objections but request conditions relating to: fixed plant noise; jet wash operations hours; CMP and hours of construction; reporting of unexpected contamination.

United Utilities Water Ltd - No objections, information given.

Whiston Town Council - No comments received.

Representations

This application has been publicised by letters sent to 21 neighbours. No representations have been received.

Planning History

19/00425/FUL - RETENTION OF 1NO SHIPPING CONTAINER. Granted: 16.09.2019 with temporary planning condition expiring 16 September 2022.

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

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

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 is for enhancements and works to an existing operating PFS and as such the application is acceptable in principle subject to design considerations and no adverse impacts on neighbouring properties and area in general.

Design and Visual Amenity Considerations

An operating PFS by its nature and use is utilitarian in design on the whole, although elements can be enhanced. The EVCP bays will comprise 6 bays with a blue aluminium cladding panels and blue steel framed columns and rafters, with the canopy roof being glazed. The bays would be illuminated by LED downlights achieving 100 lux for each bay. The substation enclosure structure would have slopes to the roof and the whole structure would be of grey GRP panels with louvres on three sides and double doors on the front, which would give it a colour similar to the fencing and a neutral finish. The jet wash enclosure would consist of 2 bays either side of the jet wash machine, with a blue steel framework and glazed screens, with each bay having LED lighting achieving 100 lux for each bay. It is considered that the design of the proposed works is acceptable appropriate to the existing site. The proposals would not be detrimental to the visual amenities of the neighbouring properties or the area in general; indeed the proposals will improve the overall appearance of the site balanced against the current operations of the site.

As such the application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Noise and Residential Amenity Considerations

The existing and former operations of the site generate noise and disturbance. However, the proposals will potentially alleviate that, particularly taking into consideration that the mechanical car wash could be brought back into use. A noise impact assessment report was submitted as part of the planning application.

The jet wash would be conditioned to operate between 8am and 8pm, and the agent has agreed that this is acceptable operating period; the EVCP would operate without hours restrictions in the same way that there are no hour's restrictions on fuel pump use. The jet wash canopy screens extend from ground level to the canopy thereby leaving no gaps for noise escape other than the open front. The EVCP would be relatively quiet and would have low key usage through the night. As such it is considered that the proposals would have insignificant impact on not cause adverse noise impacts on the occupiers of neighbouring properties and would be insignificant with regards ambient noise levels.

The proposals would not cause further loss of residential amenity with the lighting being relatively low level and not extending beyond site boundaries with residential properties. No privacy issues are raised. Environmental Health have no objections in principle with the application but do request a fixed plant noise condition and that the jet wash hours are controlled to between 8am and 8pm to protect residential amenities.

The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and ENV2 of the UDP.

Highways Considerations

The application does not raise any parking or high2ays safety issues and the Highways Engineer has no objections to the application.

The application complies with Policy CS2 of the Core Strategy and Saved Policy H5 of the UDP.

Conclusion

The proposals are acceptable in terms of the visual and residential amenity impacts on neighbouring properties and the wider area and do not raise any highways issues. The application complies with planning policies and is therefore recommended for approval.

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 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
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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
04/04/2023	13664-LP-1-145	-	LOCATION PLAN
01/11/2023	EMAIL FROM AGENT		EMAIL FROM AGENT STAINING SUBSTATION WILL BE COLOURED GREY
01/11/2023	PHOTO		EXAMPLE PHOTO OF SUBSTATION

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: K Foster

Date: 8 November 2023

Informatives

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

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.

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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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."