

<u>APPLICATION NO:</u>	24/00315/FUL	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Roby	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	Court Hey Auto Centre, Rimmer Avenue, Roby, Knowsley, L16 2NG		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY SIDE EXTENSION TO PROVIDE A WORKSHOP WITH ASSOCIATED PARKING		

Site Description

The application site is a square shaped site to the east of Rimmer Avenue. It is currently a service centre for the servicing, repair and Mot testing of cars. There are two main buildings on the south and central part of the site surrounded by hardstanding with trees at the edges of the site.

The site is surrounded by dwellings to the east and west, a row of shops to the south and flats (Bowring Court) to the north and north west, further beyond this to the north is Roby Road.

Proposal

The proposal is for the rection of a single storey side extension to provide a workshop with associated parking.

- The single Story Side Extension would be 11.3 metres wide, 13.3 metres long and 4.9 metres high.
- 15 Formal parking spaces would be provided (currently there is informal parking on the site)

Consultations

Environmental Health – No Objection, conditions are required in relation to opening hours, construction hours and Fixed plant and machinery noise. An informative is required for contamination.

Environmental Sustainability Services – No objection subject to a condition to secure details of Biodiversity Net Gain.

Highways - Highways have no objections subject to conditions in relation to cycle parking and site access gates.

Representations

This application has been publicised by letters sent to 26 neighbours.

No representations have been received.

Planning History

Several applications have been approved at the site, including the following:

- ERECTION OF 2.4 METRE MESH PANEL FENCING AND DOUBLE GATES BETWEEN SIDE OF GARAGE AND BOUNDARY WITH BOWRING COURT.
(07/00705/FUL – approved 01/11/2007)
- ERECTION OF EXT TO WORKING AREA FOR LIGHT MOTOR VEHICLE REPAIR (74/10623/HIST- approved 18/12/88)
- RIMMER AVENUE HUYTON COURT HEY SERVICE STATION :-
DEMOLITION OF EXISTING PUMPS AND ISLAND AND CONVERSION OF CAR WASH TO LUBRICATING BAY CAR HIRE AND SALES FACILITIES
(74/04848/HIST – approved 17.06.1980)
23/00892/FUL - CHANGE OF USE OF PART OF CAR PARK TO FORM HAND CAR WASH INCLUDING ERECTION OF SMALL BRICK OUTBUILDING FOR JET WASH AND VACUUM EQUIPMENT -approved 07.05.2025

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
CS7 - Transport Networks
CS8 - Green Infrastructure

CS19 - Design Quality and Accessibility in New Development

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

H5 – Primarily Residential Area

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

Principle of Development

The application site is situated a Primarily Residential Area, however, the existing site has an established use as a car garage. The proposal would be an additional workshop in connection with the existing use of the site as a garage and would therefore be acceptable in principle.

Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

In relation to the dwellings to the west and east, the extension would be no closer to them than the existing garage buildings and therefore there would not be materially greater impacts than the existing site.

The only exception to the above would be 31 Court Hey Drive. The distance of the extension to 31 would be 23.81 metres compared to 24.60 metres for the current buildings on site. It is considered a 0.79 metre reduction in distance would not cause materially greater impacts on amenity, given it would still be well over 20 metres away.

In relation to the flats to the north west (Bowring Court) the extension would be closer to this building than the current buildings on site, however, it would still be 26 metres away and would not materially impact amenity.

Provided that appropriate opening hours are secured to protect against night time noise construction hours and restrictions of plant and machinery, there would be no harm to amenity. This is supported by the council's Environmental Health team who have no objection subject to conditions.

Overall, the proposal would not result in harm to amenity.

Character of Area

Policy CS19 in the Core Strategy requires new developments to respond to and integrate positive characteristics of immediate surroundings, including local materials, scale, mass, form, layout, alignment and density of the existing built environment.

The extension would be proportionate in size to the main buildings, it would be taller in size than the middle building, however it would be similar in height to the building to the south and therefore would create a more symmetrical appearance when viewed from Rimmer Avenue. It would appear as two similar sized buildings at the end with a shorter building in the middle. A planning condition will be attached to secure matching materials. Provided a condition is attached to secure matching materials for the brickwork, there would be no harm to the character of the area or existing building. The proposal therefore complies with Core Strategy Policy CS19.

Highway Safety

NPPF para 116 states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

The proposal involves the creation of a new formal parking area within the site. This merely formalises what have previously been used as informal parking areas and would not result in any significant highway implications. The proposed parking provision is sufficient to accommodate staff, customers, and visitors without resulting in overspill onto the public highway. There is also sufficient space within the site to allow turning of vehicles. This is supported by the council's Highways department who have no objection subject to conditions.

Conditions are required to secure appropriate cycle parking and to ensure site access during peak hours. Overall, the proposal would not result in significant harm to highway safety.

Ecology

Core Strategy Policy CS8 states that planning powers and other interventions will be used to:

c) Promote effective movement of wildlife through a network of strategic green links, by protecting, maintaining and improving existing and new open spaces, water courses (including water quality) and biodiversity assets;

d) Protect, enhance and/or introduce biodiversity into existing areas of Green Infrastructure, through integration into the design of new development and public realm projects;

The application is required to meet the mandatory 10% Biodiversity Net Gain (BNG) requirement. The current proposals show a 13.90% net loss in habitat units and a 0.04 unit gain in hedgerow units.

The applicant has supplied a landscape plan which is acceptable. The onsite BNG identified within the landscape plan are not considered to be significant enhancements and the plan and its implementation can be secured via a suitably worded planning condition.

The BNG assessment report states that 10% will be achieved via the purchase of offsite BNG units from a private habitat bank. This is accepted and off-site units should be located as close to the development as possible to satisfy the BNG hierarchy.

Provided a condition is attached to secure the implementation of biodiversity net gain, there would be no harm to ecology. This is supported by the view of ESS who have no objection to the proposal subject to conditions. Overall, the proposal complies with Core Strategy Policy CS8.

Conclusion

The proposal would be acceptable in principle and in relation to neighbour amenity highway safety and ecology. The application complies with local planning policies and is recommended for approval.

Recommendation

- 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 following approved plans and documents :-

- a. Biodiversity Net Gain Summary - Received (11/06/2025).
- b. Planting Schedule - Received (24/04/2025).
- c. Soft Landscape Layout - Received (24/04/2025).
- d. Proposed Site Plan – Rev B – Received (05/03/2025).
- e. Proposed Floor Plans - Received (04/09/2024).
- f. Proposed Elevations - Received (02/08/2024).

g. Location Plan – Rev C - received (10/06/2024)

Reason: For the avoidance of doubt.

3) Materials

The materials to be used on the external surfaces of the extension hereby permitted shall match the materials used in the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006.

Pre Commencement

4) BNG Gain Plan

Prior to commencement of development a Biodiversity gain plan and Habitat Management and Monitoring plan (HMMP) for offsite habitats will have been submitted to and been approved by, the Local Planning authority. Works shall be carried out in accordance with the approved details and retained hereafter.

Within the Biodiversity Gain Plan developers need to provide their:

- completed metric tool calculation
- pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale)

Developers must also provide:

- biodiversity net gain register reference numbers if they're using off-site units
- proof of purchase if they're buying statutory biodiversity credits

Reason: In order to meet Biodiversity Net Gain.

Pre Occupation

5) Cycle Parking

The extension shall not be occupied until a scheme for the provision of long stay cycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policy CS7 of the Core Strategy, adopted January 2016

Ongoing Conditions

6) Opening Hours

The building shall only operate during the following hours:

- 8am to 6pm Monday to Friday
- 8.30am to 5pm Saturday

Reason: In the interests of residential amenity.

7) Construction Hours

No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

Reason: In the interests of residential amenity.

8) Fixed Plant

Fixed plant and machinery associated with the development shall be designed to a level that is at least 5dB(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: In the interests of residential amenity.

9) Site Access (gates)

Any gate across the access shall be kept clear and unobstructed during business operating hours.

Reason: To permit vehicles to pull clear of the HIGHWAY/CARRIAGEWAY when entering the site, in the interests of highway and pedestrian safety and to comply with Policy CS19 of the Core Strategy, adopted January 2016

Signed Case Officer:

Andrew Hunt

**Signed Authorising
Officer:**

Jo Sheridan

Date:

26/06/2025

Informatives

1) Contamination

Based on the information available 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.