

Regeneration and Economic Development Department

APPLICATION NO: 22/00302/FUL
Limited

APPLICANT: Orbit Investments (Properties)

WARD AFFECTED: Northwood

DEVELOPMENT: USE OF 3 NO. UNITS FOR FLEXIBLE USE OF CLASS E(g) USE OR CLASS B2 USE OR CLASS B8 USE OR B8 USE WITH TRADE COUNTERS

LOCATION OF SITE: Unit 1F, Unit 1G And Unit 1H , Academy Business Park, Lees Road, Knowsley Industrial Park, Kirkby, Knowsley, L33 7SA,

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Industrial Area - Primarily Industrial Area

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS4 - Economy and Employment

CS11 - Principal Regeneration Area - Knowsley Industrial and Business Parks

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

EC3 - Primarily Industrial Areas

TECHNICAL CONSULTATIONS:

Environmental Health - No objections.

Highway Authority - No objections.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 13 neighbours. No representations have been received.

ARTICLE 35

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

ISSUES AND ASSESSMENT:

PROPOSAL

The application site is part of a larger site known as Academy Business Park, which is part developed and bounded by Arbour Lane, County Road and Lees Road. There are existing buildings within the overall site, and extant permissions. In February 2019 outline planning permission (19/00337/OUT - all matters determined except for landscaping (which was reserved for future consideration) was granted for the following within the Academy Business Park: -

- Demolition of an existing weighing station;
- Erection of 5 industrial units (B1(c)/B2/B8 use);
- Erection of seven trade counter units (B8 use);

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- Erection of one self-storage facility (B8 use);
- Erection of one retail/food unit (A1/A3/A5 use);
- Erection of one drive-thru unit (A1/A3/A5 use);
- Installation of car parking and servicing areas; and
- Associated works.

The application site was approximately 2.85ha in area and predominantly hardstanding with grassed land in the southern part of the site. Access to the site was from Lees Road and the roundabout at the County Road/Arbour Lane junction. The wider industrial park is to the north and east, as well as to the south side of South Boundary Road to the south east of that site. Existing units within Academy Business Park are to the north and west of that application site.

In July 2021 planning permission was granted (20/00467/FUL) for changes to Units 1A - 1C and Units 6C - 6G as approved under the outline planning application with no changes proposed to Units 1D - 1H and Units 6A - 6B which therefore did not form part of that planning application.

The proposed changes included: -

- Units 1A - 1C amended to form six industrial units with an increase in floorspace.
- The previously approved self-storage facility use (Unit 6C) replaced with an additional trade counter unit to match Units 6D - 6G.
- Units 6C - 6G revised from three storeys to single storey with the overall building footprint for these units unchanged but internal configuration of the units amended to meet operator requirements.

The 2020 full planning application whilst revising the previous outline planning permission was only revising specified areas within that previously approved scheme; therefore, the area of that planning application is smaller than the outline permission area as those parts of the outline permission which were not revised did not form part of the 2020 application.

The current planning application relates to Units 1F - 1H which were approved as part of the approved 2019 outline planning application and form part of that site area. The units have been built out alongside Units 6C - 6G; some of Units 6C - 6G have been let but Units 1F - 1H remain vacant. The units approved use is for B8 use (storage or distribution use including trade counter use). The current planning application seeks to allow the units to widen the permitted uses to include Class E (g) Business and Class B2 General Industry uses in addition the approved B8 Storage or Distribution including trade counter use. These proposed uses, which include the use previously approved, would provide flexibility for the owner of the buildings in marketing and letting this floorspace with a number of enquiries for Business and General Industry use of some of those units having been received.

POLICY CONSIDERATIONS

The uses proposed are acceptable for units within an industrial park and application complies with the above noted planning policies.

DESIGN, ACCESS AND CRIME PREVENTION

The proposal to add uses to approved and built units to allow flexibility in letting / leasing does not proposed external alterations to the units and therefore the design and appearance of the units would not be changed and is not therefore an issue or consideration.

HIGHWAYS

The proposed change of use would allow the units to be used as Class E (g) Business use which could lead to increased demand for parking above that catered for in the in the immediate vicinity of the units, possibly more in the medium to long term day parking than short term (due to the approved trade counter use short term use could be similar). As such overspill parking onto the highway (Lees Road, Gores Road), and / or private roads (Dixon Road, Cusson Road) in the vicinity of the units could occur. The SPD 'Ensuring a Choice of Travel' requires 1 space per 30sqm, which for a development of 1025 sq.m would equate to 34 spaces. The current scheme provides 20 spaces, leading to a potential

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shortfall of 14 spaces. However, it should be noted that there is no specification noted for B8 use with trade counter which is likely to require more so therefore the shortfall is likely to be lower in reality, with trade counter units having more short term visitors than straight B8 usage.

However, the wider site however has a large number of car parking spaces which, as currently arranged would be available for use. The shared use of spaces between multiple units would lead to a higher utilisation between different users. As such it is considered that the wider site would be able to absorb an increase in parking demand should the units be used for the Class E (g) use and that there would be little impact of the additional uses of the units on highway safety or the local highway network.

RESIDENTIAL AMENITY

The site is on the edge of the industrial park with the nearest housing area on Delfby Crescent, and some detached houses on Arbour Lane. As such the proposal raises no residential amenity concerns.

OTHER ISSUES

A Social Values S106 was entered into with regard to application 19/00337/OUT which was amended due to the approval of planning permission 20/00467/FUL. The S106 was implemented as the site underwent development. As this application relates to the use of built units a further S106 agreement is not required.

CONCLUSION

The proposed uses of the units are acceptable within an industrial park and do not raise amenity or highways concerns. The application complies with planning policies and would give greater flexibility in letting out or leasing the units 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) Fixed plant and machinery associated with any use of the units hereby permitted shall be designed to a level that is at least 5dB(A) below the existing LA90 background noise level (as measured in January 2020 using as reference the Noise Impact Assessment referenced 6757124-02 dated December 2019 by Bureau Veritas) 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 BS4142:2014, Methods for rating and assessing industrial and commercial sound.

Noise limits for fixed plant are to apply at a position 1m from the closest affected window of the nearest noise sensitive property.

Reason: In the interests of residential amenity and to comply with Policy CS19 of the Knowsley Local Plan, adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

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- 4) Units 1F-1H the subject of this planning permission shall not be used for any other purpose other than Use Class E (g), Use Class B2 or Use Class B8 of the Town and Country Planning Use Classes Order 1987 as amended, If Use Class B8 is implemented that unit can include trade counter use if wanted, but any trade counter use included within a unit implementing Use Class B8 shall be no more than 15% of floor area of that individual unit for any ancillary retail sales.

Reason: For the avoidance of doubt and to ensure that retail use remains ancillary to the Use Class B8 use of the unit to which the use relates, thus limiting the loss of any Use Class B8 floorspace and restricting counter sales, so complying with Policies CS4 and CS11 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy EC3 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
16/05/2022	1377-PL-2000	-	Location Plan
16/05/2022	1377-PL-2002	-	Proposed Floor Plan

Lee Osborne
26 September 2022

Alan Kilroe
27 September 2022

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