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| <b><u>APPLICATION NO:</u></b> | 23/01778/NMA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b><u>CASE OFFICER:</u></b> | Lee Osborne |
| <b><u>WARD:</u></b>           | Northwood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b><u>PARISH:</u></b>       |             |
| <b><u>LOCATION:</u></b>       | Academy Business Park, Lees Road, Knowsley Industrial Park                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                             |             |
| <b><u>PROPOSAL:</u></b>       | NON-MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 23/01778/FUL (ERECTION OF 1NO. DRIVE-THRU UNIT (CLASS E(A) AND/OR CLASS E(B) AND/OR SUI GENERIS (HOT FOOD TAKE-AWAY) TOGETHER WITH CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS) AMENDMENT SOUGHT FOR CHANGES TO THE EXTERNAL APPEARANCE INCLUDING THE USE OF DARK TEAL AND WHITE RENDER, SULCADO CLADDING WITH ORANGE INSERT, CONDENSER COMPOUND AREA CHANGE TO TIMBER (DARK TEAL) FASCIA BAND CHANGE FROM GREY TO ORANGE, REAR DOOR COLOUR CHANGE TO DARK TEAL, GLAZED SCREEN AND DOORS CHANGED TO LIGHT TEAL COLOUR, EXTENSION OF CANOPY TO FRONT OF UNIT (LIGHT TEAL) AND AMENDMENT TO KIOSK POD |                             |             |

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### **Site Description**

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).
- 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 southeast of that site. Existing units within Academy Business Park are to the north and west of that application site.

Unit 6B was granted planning permission to be split into two units, and the building together with approved Unit 6A is sited at the southeastern tip of the overall site adjacent the County Road / Lees Road roundabout.

## **Proposal**

Planning permission 22/00543/FUL granted permission to reconfigure the approved Unit 6B into two units 6B (1) and 6B (2). The floorspace of Unit 6B was 186sq.m whilst the combined floorspace of the approved Unit 6B (1) was 93sq.m and Unit 6B (2) was 130sq.m, totalling 223sq.m. One unit was granted was to be a kiosk unit with Class E(a) and/or Class E(b) and/or Sui Generis (hot food takeaway) use and one unit was to have been a drive-thru unit with Class E(a) and/or Class E(b) and/or Sui Generis (hot food take-away).

Planning application 23/01778/FUL granted planning permission to amend the approved units and to have one drive-thru unit for this area of the Academy Business Park due to the requirements of the likely end user.

The changes to the previously approved unit granted by planning permission 22/00543/FUL were:

- Removal of sub-division wall.
- Removal of one front entrance door.
- Introduction of a set of double doors.
- Alterations to the layout of the external seating.

The floorspace of the unit subject to planning permission 23/01778/FUL is 229sq.m., 6sq.m greater than the total of the approved semi-detached Unit 6B (1) and Unit 6B (2). The siting of the unit is similar to the previously approved Units. The parking area is to the north of the unit and there will be planting along the southern boundary of the site adjacent to the County Road / Lees Road roundabout.

The current planning application seeks changes to the external appearance including the use of dark teal and white render, Sulcado cladding with orange insert, condenser compound area change to timber (dark teal), fascia band change from grey to orange, rear door colour change to dark teal, glazed screen and doors to light teal colour, extension of canopy to front of unit (light teal), and amendment to kiosk pod.

## **Consultations**

None required.

## **Representations**

Not applicable.

## **Planning History**

19/00337/OUT - OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF WEIGHING STATION AND THE ERECTION OF 5 INDUSTRIAL UNITS (USE CLASS B1(C)/B2/B8); 7 TRADE COUNTER UNITS (B8 USE); 1 SELF-STORAGE FACILITY (B8 USE); 1 RETAIL/FOOD UNIT (USE CLASS A1/A3/A5) AND 1 DRIVETHRU UNIT (USE CLASS A1/A3/A5) TOGETHER WITH CAR PARKING AND ASSOCIATED WORKS. Granted: 26.02.2020.

20/00146/REM - APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 19/00337/OUT - FOR THE DEMOLITION OF WEIGHING STATION AND THE ERECTION OF 5 INDUSTRIAL UNITS (USE CLASS B1( C )/B2/B8); 7 TRADE COUNTER UNITS (B8 USE); 1 SELF-STORAGE FACILITY (B8 USE); 1 RETAIL/FOOD UNIT (USE CLASS A1/A3/A5) AND 1 DRIVE-THRU UNIT (USE CLASS A1/A3/A5) TOGETHER WITH CAR PARKING AND ASSOCIATED WORKS - APPROVAL SOUGHT FOR LANDSCAPING. Granted: 12.06.2020.

19/00337/NMA - APPLICATION FOR A NON-MATERIAL AMENDMENT FOLLOWING GRANT OF PLANNING PERMISSION 19/00337/OUT OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF WEIGHING STATION AND THE ERECTION OF 5 INDUSTRIAL UNITS (USE CLASS B1( C )/B2/B8); 7 TRADE COUNTER UNITS (B8 USE); 1 SELF-STORAGE FACILITY (B8 USE); 1 RETAIL/FOOD UNIT (USE CLASS A1/A3/A5) AND 1 DRIVE-THRU UNIT (USE CLASS A1/A3/A5) TOGETHER WITH CAR PARKING AND ASSOCIATED WORKS. (APPROVAL SOUGHT TO AMEND THE PITCH ROOF AND TO INCLUDE ROOF LIGHTS TO UNITS 1D AND 1E). Granted: 07.10.2020.

19/00337/NMA1 - APPLICATION FOR A NON-MATERIAL AMENDMENT FOLLOWING GRANT OF PLANNING PERMISSION 19/00337/OUT (OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF WEIGHING STATION AND THE ERECTION OF 5 INDUSTRIAL UNITS (USE CLASS B1( C )/B2/B8); 7 TRADE COUNTER UNITS (B8 USE); 1 SELF-STORAGE FACILITY (B8 USE); 1 RETAIL/FOOD UNIT (USE CLASS A1/A3/A5) AND 1 DRIVE-THRU UNIT (USE CLASS A1/A3/A5) TOGETHER WITH CAR PARKING AND ASSOCIATED WORKS) TO ALLOW FOR AMENDMENT TO APPROVED PLANS RELATING TO THE RESITING OF UNITS 1F - 1H AND ALTERATIONS TO THE CAR PARKING LAYOUT). Granted: 06.01.2022.

20/00467/FUL - ERECTION OF 6 NO. INDUSTRIAL UNITS (USE CLASS B1(c)/B2/B8) AND 5 NO. TRADE COUNTER UNITS (USE CLASS B8) TOGETHER WITH CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. Granted: 30.07.2021.

22/00302/FUL - 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. Granted: 27.09.2022.

22/00505/FUL - REMOVAL OF CONDITION NO. 16 ATTACHED TO PLANNING PERMISSION 19/00337/OUT (OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF WEIGHING STATION AND THE ERECTION OF 5 INDUSTRIAL UNITS (USE CLASS B1( C )/B2/B8); 7 TRADE COUNTER UNITS (B8 USE); 1 SELF-STORAGE FACILITY (B8 USE); 1 RETAIL/FOOD UNIT (USE CLASS A1/A3/A5) AND 1 DRIVE-THRU UNIT (USE CLASS A1/A3/A5) TOGETHER WITH CAR PARKING AND ASSOCIATED WORKS) TO ALLOW FOR UNITS 6A AND 6B TO OPERATE PRIOR TO THE CONSTRUCTION OF UNITS 1A-1E. Granted: 30.11.2022

22/00543/FUL - ERECTION OF 1. NO BUILDING COMPRISING OF 1 NO. KIOSK UNIT (CLASS E(A) AND/OR CLASS E(B) AND/OR SUI GENERIS (HOT FOOD TAKE-AWAY)) AND 1 NO. DRIVE-THRU UNIT (CLASS E(A) AND/OR CLASS E(B) AND/OR SUI GENERIS (HOT FOOD TAKEAWAY)) TOGETHER WITH CAR

PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS. Granted:  
10.01.2023.

22/00633/FUL - USE OF 2 NO. UNITS FOR FLEXIBLE USE OF CLASS E(g) USE  
OR CLASS B2 USE OR CLASS B8 USE OR B8 USE WITH TRADE COUNTERS.  
Granted: 01.02.2023.

23/01778/FUL - ERECTION OF 1NO. DRIVE-THRU UNIT (CLASS E(A) AND/OR  
CLASS E(B) AND/OR SUI GENERIS (HOT FOOD TAKE-AWAY) TOGETHER WITH  
CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. Granted:  
13.11.2023.

### **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)**

EC3 - Primarily Industrial Areas

### **Assessment**

#### **Design and Visual Amenity Considerations**

The alterations to the appearance of the building are minor in scale, relating mainly to colours and materials. The changes would be acceptable in terms of appearance and in the context of the application site within the wider Academy Business Park and the wider area in general there would not be material effect on the general appearance of the Business Park or the locality in general.

#### **Highways Considerations**

The proposed changes to the building would not impact on highways safety within the Business Park or the wider area.

### **Conclusion**

The proposal would be acceptable in relation to street scene impacts and considered to be a non-material change. The application complies with local planning policies and is recommended for approval.

### **Recommendation**

That Planning Permission be granted 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.

### **SCHEDULE 1**

| Date Received | Ref. No        | Version | Drawing/Document Title   |
|---------------|----------------|---------|--------------------------|
|               |                |         |                          |
| 05/02/2024    | 1373-PL-2009-A | -       | PROPOSED ELEVATIONS      |
| 05/02/2024    | -              | -       | SULCADO CLADDING DETAILS |

**Signed Case Officer<sup>1</sup>:**      **Lee Osborne**

**Signed Authorising Officer<sup>2</sup>:**      **K Foster**

**Date:**      **19 March 2024**

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<sup>1</sup> 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

<sup>2</sup> 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

## **Appendix 1 – Site Photographs**