

<u>APPLICATION NO:</u>	23/00363/FUL	<u>CASE OFFICER:</u>	Clare Appleyard
<u>WARD:</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	Unit K31-C, Acornfield Road, Knowsley Industrial Park		
<u>PROPOSAL:</u>	INSTALLATION OF EXTERNAL DUCTING, EXTERNAL PLANT, FENCING AND GATES TOGETHER WITH ASSOCIATED WORKS		

Site Description

The application site consists of a small yard/circulation area to the south of an existing industrial unit. The industrial unit lies within Knowsley Industrial Park and is surrounded by industrial uses consistent with its industrial park status. The site itself has existing green paladin fencing to the front and side. The unit is proposed to be used for the expansion of laboratory facilities involved in the chemical analysis of metalliferous products.

Proposal

The proposal is for external plant which is required to service the new laboratory and investigative procedures involved in the proposed principal use that already has planning permission (ref 20/00688/FUL). The proposal is part of a three phase fit out project aimed at increasing operational capacity while improving welfare facilities for staff.

Phase 1 of the proposal includes the subdivision of the warehouse to create new proton assay unit workshops with associated male/female changing facilities and lockers with material preparation facilities at ground floor. The existing first floor will be extended to create canteen facilities, an office area and meeting accommodation with an external escape staircase. Phase 2 will provide the new laboratories with associated plant and the phase 3 use is yet to be determined.

To the rear or south elevation, the proposal includes a new fenced service area which will house the air handling units, air extract plant which serves the laboratories and workshops and new flues/extract ducting to the rear elevation to offer extraction facilities. The service area is proposed to be fenced and gated to limit access.

Consultations

Environment Agency - No objections.

Environmental Health – No objections subject to a fixed plant noise condition.

Highway Authority - No objections.

Representations

This application has been publicised by letters sent to 39 neighbours. No representations have been received.

Planning History

22/00686/FUL	APPLICATION TO VARY CONDITION NO. 23 (NO OUTSIDE
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STORAGE) ATTACHED TO PLANNING PERMISSION
20/00688/FUL (THE ERECTION OF 3 NO.
INDUSTRIAL/WAREHOUSE UNITS (USE CLASSES B2/B8)
WITH ANCILLARY OFFICE SPACE TOGETHER WITH THE
CONSTRUCTION OF NEW ACCESSES, HARD AND SOFT
LANDSCAPING AND OTHER ASSOCIATED WORKS) TO
ALLOW FOR OUTDOOR STORAGE SUBJECT TO ANY
OUTDOOR STORAGE PROPOSALS TO BE FIRST
SUBMITTED TO LPA FOR APPROVAL – pending
consideration

20/00688/FUL THE ERECTION OF 3 NO. INDUSTRIAL/WAREHOUSE
UNITS (USE CLASSES B2/B8) WITH ANCILLARY OFFICE
SPACE TOGETHER WITH THE CONSTRUCTION OF NEW
ACCESSES, HARD AND SOFT LANDSCAPING AND OTHER
ASSOCIATED WORKS - granted

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 (2016)

SD1 - Sustainable Development
CS1 - Spatial Strategy for Knowsley
CS2 - Development Principles
CS4 – Economy and Employment
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development

Knowsley Replacement Unitary Development Plan (Saved Policies 2009)

DQ2 - Security in the Built Environment
ENV2 - Noise and Vibration
EC3 - Primarily Industrial Areas

The Joint Merseyside and Halton Waste Local Plan (2013)

WM8 - Waste Prevention and Resource Management
WM9 - Sustainable Waste Management Design and Layout of New Development

Article 35 Statement

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.

Assessment

The proposal lies within Knowsley Industrial Park Policy. CS4 of the Local Plan Core Strategy seeks to support proposals which seek to deliver economic growth and improve accessibility to a range of jobs. This policy makes provision for delivery of employment uses within Knowsley Industrial Park (including Knowsley Business Park). The site is allocated as a primary industrial area by Policy EC3 of the Knowsley UDP. This policy identifies the site as an appropriate location for business and industry uses covered by use classes B1 (now referred to as falling within Class E(g)) and uses classes B2 and B8.

Given the proposal involves works that will facilitate bringing the warehouse into a policy compliant use (likely to be classed as B2 rather than E(g)) and includes plant and a service yard that aligns with the proposed use, it is considered that the principle of the development is acceptable.

The proposal involves plant and ducting/flu infrastructure including air handling units, chillers, high level assay unit extraction ducts, condensers and a dust extract fan with a 4m high flue. There are 5 new extraction ducts which project above the ridge line of the building by approximately 1.2m with the duct projecting above the eaves by 3m. The dust extract fan unit has a 4m high flue and the air handling units will have a maximum height of 3m which will project beyond the proposed service yard fence line by 0.5m. The air handling units will include a 1.2m diameter white lagged supply duct. The service yard fencing will be 2.5m high green weld mesh fencing to match the existing weld mesh fencing and will include a gate to access the service yard. A condition is recommended to secure the delivery of green weld mesh fencing in the interests of visual amenity in accordance with policies CS2 and CS19 of the Local Plan Core Strategy.

The south elevation of the building is highly visible from the road with the extract ducting and plant being prominent additions when viewed from Acornfield Road. However, the weld mesh fencing will offer some screening, the ducting projects above the ridge line by only 1.2m, (3m above the eaves) and the proposed plant is a common feature within the industrial estate setting. Whilst much of the plant will include a galvanised metal finish, this again is a feature within industrial estates and

is not so unduly detrimental that a refusal would be warranted. A condition restricting open storage in this location to protect visual amenity is recommended in accordance with policies CS2 and CS19 of the Local Plan Core Strategy.

There is an existing vehicle access to the north of the unit along with car parking which was dealt with under the 2020 permission. The enclosed yard area will include gates for access. The proposal is considered to be acceptable from a highway safety perspective and the proposal is considered to comply with policies CS2, CS7 and CS19 of the Local Plan Core Strategy.

The ducting will extract ozone and the LPA consulted the Environment Agency and Environmental Health to ensure the proposal would not result in unacceptable environmental impacts. The Environmental Health Department recommended a fixed plant noise condition in accordance with policy ENV2 of the Knowsley UDP. The Environment Agency raised no objection and did not require any conditions. However, the EA did recommend the imposition of informatives relating to the discharge of effluent. A permit will be required if the developer is proposing to discharge to non-mains after effluent treatment. A trade effluent consent or agreement will be required if the developer proposes to discharge effluent to a mains sewer or a private sewer that connects to a mains sewer. Agreement with the water and sewerage company is required prior to discharge if effluent in this case. Informatives are recommended to advise the applicant/developer.

Conclusion

The proposal is considered to have acceptable impacts on visual amenity, highway safety and noise subject to the recommended conditions. The environmental impacts relating to effluent discharge are covered by other regulatory arrangements and as such the informatives are included to raise awareness of this. The proposal is considered to be acceptable subject to the conditions recommended below and the proposal is considered to comply with policies CS2, CS4, CS7 and CS19 of the Local Plan Core Strategy and policies EC3, DQ2 and ENV2 of the Knowsley Replacement UDP.

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 approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) Fixed plant and equipment 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: To safeguard local amenity and ensure background noise levels do not increase in accordance with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy 2016 and Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan 2006

4. The fencing and gates shown on the Proposed Section and Elevation Plan (reference AL(SK)04 Rev C) shall consist of green weld mesh fencing.

Reason: In the interests of visual amenity and to comply with the NPPF and Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
05/04/2023	AL(9)01	REV 1ST	SITE LOCATION PLAN
05/04/2023	AL(9)02	REV 1ST	SITE PLAN
05/04/2023	AL(SK)01	REV F	SKETCH LAYOUT GROUND FLOOR BUILDING
05/04/2023	AL(SK)02	REV D	SKETCH PROPOSALS GROUND & FIRST FLOOR
04/05/2023	-	-	PHOTOGRAPH SHOWING FENCING
04/05/2023	-	-	PHOTOGRAPH OF FIXED PLANT
04/05/2023	AL(SK)04	REV C	PROPOSED SECTION & ELEVATION
04/05/2023	-	-	AHU TECHNICAL DATA SELECTION - SIDE ELEVATION AND PLAN VIEW

Signed Case Officer¹: Clare Appleyard

Signed Authorising Officer²: K Foster

Date: 6 July 2023

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

² 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

Informatives

- 1 Effluent discharged from any premises carrying on a trade or industry and effluent generated by a commercial enterprise where the effluent is different to that which would arise from domestic activities in a normal home is described as trade effluent. If effluent is not able to be discharged then it will be classed as waste and it is the responsibility of the applicant to ensure they comply with their duty of care responsibilities.
- 2 If proposing to discharge to non-mains: If you wish to discharge effluent after appropriately treating it to groundwater or surface water please contact the Environment Agency (tel 03708 506 506) as a permit under the Environment Permitting Regulations will be required.

If proposing to discharge to mains: A trade effluent consent or trade effluent agreement with your water and sewerage company must be obtained before you discharge trade effluent to a public foul sewer or a private sewer that connects to a public foul sewer.

Further guidance is available - please refer to the response from the EA.

IMAGE FROM SITE



