

APPLICATION NO: 24/00216/COU **CASE OFFICER:** Maxine Wishart

WARD: St Gabriels **PARISH:**

LOCATION: 1 Brickfields, Huyton, Knowsley

PROPOSAL: CHANGE OF USE OF PART OF BUILDING FROM STORAGE (USE CLASS B8) TO MOTOR VEHICLE REPAIRS / MOT TESTING STATION (USE CLASS B2)

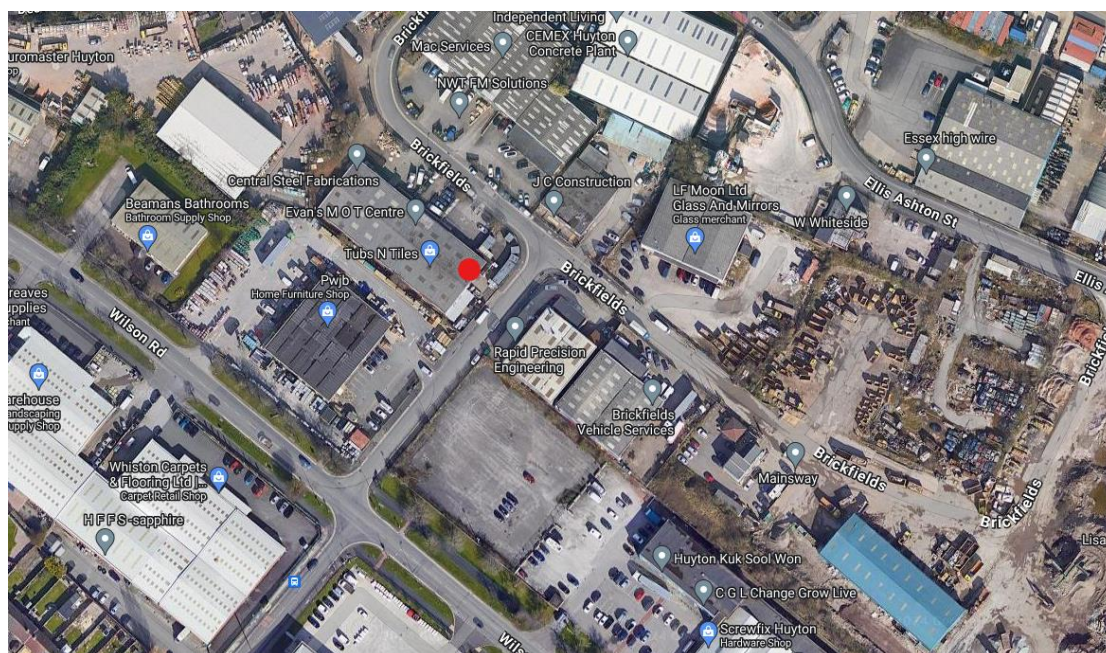
KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION

Primarily Industrial Area

Site Description

The application relates to an end industrial unit on Brickfields which forms part of a small block of 5 No. commercial units. The site is accessed off Brickfields with parking provided within the site curtilage. The site is enclosed by existing palisade fencing and gates and currently contains a number of steel containers; a skip and pallets located within the site curtilage.

The application site is immediately surrounded by other industrial and commercial uses. To the north west of the site, beyond the industrial estate lies St Gabriel's Primary School and grounds which are located at approximately 180m from the application site. A Family Centre and Nursery are located on Ellis Ashton Street approximately 140m to the north west of the application site. There are isolated residential dwellings located approximately 114 m to the west on Derby Street and the Bungalow on Ellis Ashton Street (approx.160 m) which are surrounded by other industrial premises



Proposal

The application seeks planning permission for the change of use of part of an existing warehouse unit to form a vehicle servicing and repair centre with MOT facilities. The proposal includes the installation of an MOT Testing Bay which requires a recess of 100mm deep within the floor to accommodate equipment.

The main part of the unit extends over approximately 300sq m and is currently sectioned into two parts used for storage use. It is proposed to use the front section of this part of the building (approx. 160m²) for motor vehicle repairs / maintenance servicing and MOT use. The proposed floor layout would be partitioned to provide an office and customer waiting room in addition to the existing reception, kitchen and WC. The retained storage use would be accessed through the proposed unit.

An existing side extension (approx. 24 sqm) is leased to a building decoration contractor (BDP Decorators) with one full-time administration officer based at this location, with another 20 site based employees who work in remote locations across the North West. It is indicated that there is no requirement for these employees to work from the site although it is specified that there may be a need to collect materials associated with work tasks from this unit at the beginning of the day. The area occupied by the decorating contractor would continue to have its own direct access into the extension at the side of the building.



It is intended that the proposed use would employ 3 full-time staff. The intended hours of operation are 0700 – 1700 Monday to Friday and 0700 – 1300 Saturday.

Consultations

Highway Authority - No objections.

Environmental Health - No objection in principle subject to contaminated land advisory.

Representations

This application has been publicised by letters sent to 21 neighbours.

There have been 1 letter of objection has been received. The representations are summarised as follows: -

- a) Impact on Long Standing Business and Wider Community
 - Proposal would be next door to writer's vehicle repair shop and MOT station which has been in operation for over 20 years.
 - Another garage in close proximity would have adverse effects on business.
 - Their garage has built reputation for quality service, reliability and trust in community.
 - Competition leading to impacts on business viability / local economy.
- b) Increased Traffic congestion
 - Road is busy thoroughfare used by residents and school children.
 - Another garage would increase volume of traffic with customers, delivery, staff vehicles.
 - Exacerbation of existing congestion – leading to longer delays / stressful commute for road users.
- c) Safety Concerns for School Children
 - School children use the road to and from school increased traffic will lead to accidents especially during peak hours.
 - More vehicles in and out of site would create hazardous conditions.
- d) Limited Parking and Increased Pedestrian Congestion
 - Parking in area is limited.
 - Would exacerbate parking issues in area.
 - Customers and employees of proposed garage would compete for limited parking spaces pushing vehicles onto pedestrian walkways.
 - Pedestrians (including school children) would be forced to navigate around parked vehicles into the road.

In regard to the comments made at point a) above which relate to competition, the fact that there is an existing operation of a similar nature in close proximity (an existing MOT Centre is located in unit 3 Brickfields) and potential competition between the individual businesses is not in itself a material planning consideration

Planning History

APP. NO:	74/02672/HIST (Alternative App. No: K/APP/2520)
PROPOSAL:	UNIT NO 1 BRICKFIELDS TRADING ESTATE OFF ELLIS ASHTON ST HUYTON:- PART USE OF LIGHT INDUSTRIAL BLDG FOR WAREHOUSING AND STORAGE
DECISION:	Granted
DECISION DATE:	5 October 1977
APP. NO:	74/02848/HIST (Alternative App, No: K/APP/2655)
PROPOSAL:	FLEET REMOVALS UNIT 1 BRICKFIELDS OFF WILSON RD HUYTON:- 2 M HIGH BOUNDARY WALL
DECISION:	Granted
DECISION DATE:	22 December 1977
APP. NO:	74/09409/HIST (Alternative App. No: K/APP/9253)
PROPOSAL:	UNIT 1 BRICKFIELDS TRADING EST HUYTON: - ERECTION OF EXTENSION TO FACTORY
DECISION:	Granted
DECISION DATE:	30 January 1986

APP. NO: 96/00569/APP
PROPOSAL: ERECTION OF 2.4M HIGH STEEL PALISADE FENCING AND SLIDING GATE
DECISION: Granted
DECISION DATE: 22 November 1996

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.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS4 - Economy and Employment
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development
CS26 - Waste Management

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

EC3 - Primarily Industrial Areas
T10 - Access for the Less Mobile
DQ2 - Security in the Built Environment
ENV2 - Noise and Vibration
ENV5 - Contaminated Land

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

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 relates to the change of use of part of an existing industrial unit from storage (Use Class B8) to form a vehicle workshop garage and MOT Testing station. The proposed use of vehicle repairs typically falls within Use Class B2 of the Use Classes Order and can include such ancillary elements servicing and MOT testing. The proposed use is entirely acceptable given the location within an existing industrial estate and conforms with the character of the area.

As such the application complies with Policy CS2 of the Core Strategy and Saved Policy EC3 of the UDP.

Visual Amenity Considerations

The application is for the change of use of part of the premises. There would be no external alterations therefore no design issues or impact on visual amenity issues are raised. The application would result in the removal of the existing steel containers and various pallets stored on the outside of the unit. As such the proposal could arguably result in an improvement to the visual amenity of the site.

Highway Issues

The areas fronting the application site are hard surfaced and this would provide parking. The proposed site layout plan indicates that 8 no. parking spaces would be provided to serve the proposed use and the retained users. The Local Highway Authority is satisfied with the level of parking that would be made available.

Concern has been raised by an objector that the proposed development would result in detrimental impacts on highway and pedestrian safety. Brickfields itself has parking restriction markings (double yellow lines) to deter on-street parking. Whilst no parking issues were observed during an Officer's site visit, it is acknowledged that despite the parking restrictions that are in place, there is a tendency for vehicles to park in restricted areas. Nevertheless, this is regulated and it is considered that the local highway network has the capacity to accommodate any overspill from the comings and goings of the proposed use over the course of the day if this arose.



Furthermore, the Local Highway Authority have not raised any concerns regarding the parking provision or that the proposal would result in adverse impacts on pedestrian and highway safety.

The application therefore complies with Policy CS2 of the Core Strategy and Saved Policy EC3 of the UDP.

Amenity Considerations

As detailed above, there are some isolated residential dwellings to the north west of the application site, located on Derby Street and on Ellis Ashton Street and St Gabriel's Primary School and a Family Centre and Nursery are located beyond the industrial estate to the from the site. There are other industrial uses, including other car repair and MOT service stations that are nearer to those more sensitive sites and other commercial and industrial premises would be located between them and the north west of the application site.

The intended hours of operation are indicated as 0700 – 1700 Monday to Friday and 0700 – 1300 Saturday. Given the site location of the sit it is not considered that it would be necessary to control the hours of use by way of a planning condition in this instance. No other general amenity concerns are raised.

It is not considered that the development would have a detrimental impact on the surrounding area and as such complies with Policies CS2 and CS19 of the Core Strategy and save Policies EC3 and ENV2 of the UDP.

Environmental Issues

The Council's Environmental Health Officers have no objections to the proposed development. Based on the information available to the Environmental Health division they are not aware of any contamination on this site. However, they consider that a watching brief for potential contamination is required in respect of the installation of the testing pit within the floor of the building. The responsibility to properly address contaminated land issues lies with the owner/developer of the site and if planning permission is granted it is recommended that an advisory note is included as an informative.

Conclusion

The proposed development is acceptable in principle in this industrial area. No issues have been raised by the Local Highway Authority in regard to highway and pedestrian safety concerns or parking issues. It is therefore considered that the use is appropriate for the site and locality and that the development complies with relevant planning policies. As such the application is recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions:

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 development hereby permitted shall not be brought into use until the areas for the movement, loading, unloading and parking of vehicles as indicated on the approved plans have been cleared of all outside storage and provided in complete accordance with the plans hereby approved. These areas shall be retained at all times thereafter for the intended use.

Reason: To ensure that adequate on site vehicle parking/manoeuvring facilities are provided in the interests of highway safety and amenity, and to comply with the National Planning Policy Framework (2023), Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the Ensuring a Choice of Travel SPD (2010).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/07/2024	-	Rev. B	SUPPORTING STATEMENT (20 MAY 2024)
11/07/2024	TQRQM24142081 136026	Rev. A	SITE LOCATION PLAN
11/07/2024	BHK/P2 (b)	Rev. B	PROPOSED SITE PLAN
11/07/2024	BHK/P1 (b)	Rev. B	PROPOSED GROUND FLOOR PLAN

Signed Case Officer¹: **M Wishart**

**Signed Authorising
Officer²:** **M Quinn**

Date: **12/08/2024**

Informatives

1. **NOTE FOR APPLICANT:**

The applicant's attention is drawn to the following comments:

2. **Coal Mining**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

3. **Contaminated Land Advisory Note**

Based on the information available to the Council's Environmental Health division they 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.

Contd....

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

Appendix 1 – Site Photographs

