

<u>APPLICATION NO:</u>	25/00123/FUL	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Northwood	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	Land At Coopers Lane, Knowsley Industrial Park, Kirkby, Knowsley L33 7TT		
<u>PROPOSAL:</u>	VARIATION OF CONDITIONS 1 ATTACHED TO PLANNING PERMISSION 23/02667/FUL (PROPOSED DEVELOPMENT OF A GRID CONNECTION ROUTE BETWEEN A BATTERY STORAGE FACILITY AND NATIONAL GRID KIRKBY SUBSTATION) TO ALLOW FOR CHANGE IN THE ROUTE OF THE GRID CONNECTION		

Site Description

The application site is a long thin strip of land from Molly's Lane in the north west to the roundabout and then south along Coopers Lane to the site entrance. The grid connection route is required in order to serve a consented battery storage development approved in 2024 (23/02008/FUL).

The red line boundary has been amended slightly from the previous planning application at the entrance to the battery storage compound and near the roundabout.

Proposal

The proposal is for a variation of condition 1 attached to planning permission 23/02667/FUL (Proposed development of a grid connection route between a battery storage facility and national grid Kirkby substation) to allow for change in the route of the grid connection.

The main changes from the previous approval are:

- A new access layout. The site entrance road would be strait and wider rather than curved as in the previous application.
- Amendments to the cable route which fall outside the red line boundary of the previous application. The cable route would be wider close to the entrance and the red line boundary close to the roundabout would be slightly smaller.

Consultations

Highways - Highways have no objections to the proposed modifications to the consented scheme, which are minor in nature. It is requested that the previously applied informative is reapplied to any consent.

Merseyside Environmental Advisory Service – No objection to the proposal. With regard to the revised cable route it largely follows the perimeter road which is hardstanding so any ecological impact would be negligible. Mandatory 10% BNG

would not apply to this VoC application as it is exempt from Biodiversity net gain.

Representations

This application has been publicised by letters sent to 43 neighbours. No representations have been received.

Planning History

23/02667/FUL - PROPOSED DEVELOPMENT OF A GRID CONNECTION ROUTE BETWEEN A BATTERY STORAGE FACILITY AND NATIONAL GRID KIRKBY SUBSTATION – approved 30/04/2024

23/02008/FUL - PROPOSED DEVELOPMENT OF A BATTERY STORAGE FACILITY AND ASSOCIATED INFRASTRUCTURE – approved 30.04.2024

24/00610/FUL - REVISED ACCESS ROAD IN CONNECTION WITH THE APPROVED KIRKBY BATTERY ENERGY STORAGE SYSTEM FACILITY (23/02008/FUL - PROPOSED DEVELOPMENT OF A BATTERY STORAGE FACILITY AND ASSOCIATED INFRASTRUCTURE) – withdrawn

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)

N/A

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 main changes from the previous approval are:

- A new access layout. The site entrance road would be strait and wider rather than curved as in the previous application.
- Amendments to the cable route which fall outside the red line boundary of the previous application. The cable route would be wider close to the entrance and the red line boundary close to the roundabout would be slightly smaller.

Design

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 cable route changes are minor and do not result in any greater visual impact than previously. Most of the cable would be underground, any above ground works would be unchanged from the previous application. The proposal is therefore considered acceptable in design terms.

Overall, the proposed changes would be acceptable in design terms and would comply with Core Strategy Policies CS2 and CS19.

Highways

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 proposed new entrance would be wider than the previously approved scheme and straight. The modifications are minor in nature and would not result in any harm to highway safety. This view has been supported by the council's highways officer who have no objection to the proposal.

Ecology

Part 2 of Core Strategy Policy CS8 states the following:

- 2) To achieve the above, 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 proposed cable route would largely follow the perimeter road which is hardstanding. Any ecology impact would therefore be negligible. Biodiversity net gain does not apply to the development as it is an exempt development. It impacts less than 25 square metres (5m by 5m) of on-site habitat. This is supported by the views of Merseyside Environmental Advisory Service who have no objection to the proposal.

Conclusion

The proposal would be acceptable in relation to design, highways and ecology. 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 must be begun not later than the expiration of three years beginning with the date of the granted of the original permission (30/04/24).

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

- a. Site Location Plan - 2569-03-001 – Rev C - (Received 26/02/2025).
- b. Statutory Plan - 2569-03-002 - Rev C - (Received 26/02/2025).
- c. General Arrangement Plan – 2569-03-003 - Rev D - (Received 26/02/2025).
- d. Above Ground Infrastructure - 2569-03-005- (received 14/09/2023)

- e. 33kV Cable Typical Trench Cross Sections - 2569-03-006 - (received 14/09/2023)

Reason: For the avoidance of doubt.

<u>Signed Case Officer¹:</u>	<u>Andrew Hunt</u>
<u>Signed Authorising Officer²:</u>	<u>Jo Sheridan</u>
<u>Date:</u>	<u>07/05/2025</u>

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) Highways

This permission does not entitle the developer to obstruct or carry out works within the Adopted Highway or across a Public Right of Way whatsoever. Any proposed temporary closure or works affecting either will require consent which must be obtained from the Streetworks team. Please email NRSWA.TeamDRES@knowsley.gov.uk for further information.