

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 22/00360/NMA **CASE OFFICER:** Andrew Hunt

WARD: St Gabriels **PARISH:** N/A

LOCATION: 3TN Unit 1, Link Road, Huyton, Knowsley, L36 6AP

PROPOSAL: NON MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 22/00360/FUL (REFURBISHMENT OF FORMER DEPOT BUILDING COMPRISING OF PART DEMOLITION TO NORTH AND WEST ELEVATION, RECLADDING OF ELEVATIONS, RECONFIGURATION OF CARPARKING AND SITE ACCESS, ERECTION OF SUBSTATION AND METER ROOM TOGETHER WITH ALTERATIONS TO INTERNAL LAYOUTS TO FORM 6 NO. UNITS (USE CLASSES B2 OR B8 OR E(g))) - AMENDMENT SOUGHT FOR ALTERATIONS TO ELEVATIONS, ADDITIONAL MEZZANINE FLOOR, SUBDIVISION OF UNIT AND CHANGES TO PARKING LAYOUT

Site Description

The application site is a large industrial building located at Unit 1, Link Road, Huyton within a wider industrial area. There are other industrial buildings to the north, east, west and south.

Proposal

The proposal is for a non-material amendment to the approved planning permission to change the approved plans. The changes include alterations to elevation, additional mezzanine floor, subdivision of unit and changes to parking layout.

Consultations

N/A

Representations

N/A

Planning History

The related main application for refurbishment of former depot building was approved (22/00360/FUL – approved 21/03/2023).

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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)

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

Changes

The following are the main changes from the original approved plans:

- Alterations to elevations
- Additional mezzanine floor
- Subdivision of unit
- Changes to parking layout.

The alterations to the elevations are minor in nature and do not materially affect the appearance of the building. The additional mezzanine floor would be internal only and would not be a material change as would the subdivision of a unit into 4 units. The changes to parking would also not materially affect the layout of the site.

Conclusion

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

Signed Case Officer¹: **Andrew Hunt**

Signed Authorising
Officer²: **K Foster**

Date: **31 January 2024**

Informatives

1) Coal Authority

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine

entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

2) The following plans are approved;

- a. As built front and RH side elevations (Rev d) (received 19/01/2024)
- b. As built front and LH side elevations (Rev d) (received 19/01/2024)
- c. As built site plan (Rev M) (received 19/01/2024)
- d. Site Location Plan (received 26/01/2024)

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