



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00360/FUL

Name and address of applicant

Link Developments (NW) Ltd
Number 1
Stanley Street
Chester
CH1 2LR

Name and address of agent

Damson Consultancy Limited
Pells Yeat Farm Studio
Hophouse Lane
Kirkby Lonsdale
LA6 2EH

Date of Receipt: 13 June 2022

Date Valid: 7 October 2022

Address/Location Of Development:

Unit 1, Link Road
Huyton
Knowsley
L36 6AP

Description of Development: 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))

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted 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 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 following approved plans and documents:-
 - a) Proposed Site Plan Rev B 20035 P115 - Rev F (received 20/02/2023)
 - b) Construction Phase Plan (received 04/01/2023)
 - c) Method of Work (received 04/01/2023)
 - d) Risk Assessment (received 04/01/2023)
 - e) Site Treatment and Management Plan (received 04/01/2023)

- f) Demolition Rams (received 04/01/2023)
- g) Demolition Plan (received 04/01/2023)
- h) Site Location Plan (received 12/09/2022)
- i) Existing and Proposed Front and Side Elevations 20035 P106 Rev C - (received 10/02/2023)
- j) Existing and Proposed Rear and Side Elevations 20035 P107 Rev C - (received 10/02/2023)
- k) Proposed Substation Plans and Elevations 20035 P108 Rev B - (received 12/09/2022)
- l) Design and Access Statement (received 12/09/2022)

Reason: For the avoidance of doubt.

3. No part of the development hereby consented shall be occupied until works have been implemented in accordance with drawing 20035 P115 Rev F. For the avoidance of doubt, the works shall include but not be limited to:
 - Southernmost site access to be widened with minimum 10m radius kerbs, including continuous footway into site, and dropped crossing with tactile paving.
 - Dropped kerbs and tactile paving at each of the remaining site accesses.
 - Modifications to the boundary treatments.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

4. No part of the accommodation/development consented hereby shall be brought into use until the areas for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists), indicated on Site Plan Drawing 20035 P115 Rev F have been set aside, surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

5. The development shall not be brought into use until the modifications to the boundary treatments shown in drawing 20035 P115 B have been introduced.

Reason: To ensure a satisfactory intervisibility between pedestrians and vehicles in the interests of highway safety.

6. 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: In the interests of residential amenity and to comply with Policy CS19 of the Knowsley Local Plan, adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the

Local Planning Authority. The applicant/developer shall contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

If contaminated material is encountered the applicant/developer shall dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer shall also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should comply with the requirements of NPPF Para 183 b):
"b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990";

Reason: In order to avoid harm to human health from contamination.

8. The building shall not be used for any other purpose other than Use Class E (g), Use Class B2 or Use Class B8 of the Town and Country Planning Use Classes Order 1987 (as amended).

Reason: For the avoidance of doubt and to ensure the site is retained in employment use.

9. No construction / demolition work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays.

Reason: To protect neighbours from noise.

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance:-

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS4 - Economy and Employment

CS19 - Design Quality and Accessibility in New Development

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

EC3 - Primarily Industrial Areas

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (Andrew Hunt on 0151 443 2204)

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.

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached, then you will be liable to a breach of condition notice.

Informative

- 1) It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The grant of planning permission will require the developer to enter into an agreement under s278 of the Highways Act 1980 with the Council. The applicant is advised to contact the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.

Executive Director - Regeneration and Economic Development

Date: 21 March 2023

IMPORTANT NOTES FOR YOUR ATTENTION:

1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.
2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.
3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.
4. A fee is normally payable to discharge planning conditions in accordance with government regulations.
5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.
6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.