

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 22/00360/FUL

CASE OFFICER: Andrew Hunt

WARD: St Gabriels

PARISH:

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

PROPOSAL: 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))

Site Description

The application site is a large industrial building located at Unit 1, Link Road, Huyton within a wider industrial area.

Proposal

The proposal is for the refurbishment of former depot building comprising of part demolition to north and west elevations, 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)).

Consultations

Environmental Health – No objection subject to conditions in relation to Fixed Plant Noise levels, contamination and demolition/construction hours.

Health and Safety Executive - HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Highways – Highways have no objections in principle to the proposed development. The development will retain the same land use classification and there is to be a reduction in floorspace, which will lead to a reduction in the highway impact. However, the access arrangements will require modification which can be sought by condition.

Representations

This application has been publicised by letters sent to 33 neighbours. No comments have been received.

Planning History

None Relevant

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

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 alterations to the existing employment use at the site which is allocated for employment use. Therefore, the development is acceptable in principle.

Street Scene

The design of the proposed substation is acceptable for an industrial location and consistent with the character of the surrounding buildings. The other alterations to the building are also acceptable in relation to street scene impacts.

Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

The proposals would not materially affect neighbouring/business premises as the change would not result in any greater amenity impacts than the existing building. However, a condition will be attached to limit fixed plant noise levels and demolition/construction hours, to protect neighbouring occupiers against noise.

Highway Safety

NPPF para 111 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 would be severe.

The development will lead to a reduction in floorspace and therefore a reduction in highways impact from traffic and parking. However, additional information is required on the amended access. This can be secured via condition. This is supported by the council's highways department who have no objection subject to condition.

Conclusion

The proposal would be acceptable in principle and in relation to amenity, impact on the streetscene and highways. The application complies with local planning policies and 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 following approved plans and documents :-
- Proposed Site Plan Rev B 20035 P115 – Rev F (received 20/02/2023)
 - Site Location Plan (received 12/09/2022)
 - Existing and Proposed Front and Side Elevations 20035 P106 Rev C - (received 10/02/2023)
 - Existing and Proposed Rear and Side Elevations 20035 P107 Rev C - (received 10/02/2023)
 - Proposed Substation Plans and Elevations 20035 P108 Rev B - (received 12/09/2022)
 - Design and Access Statement (received 12/09/2022)

Reason: For the avoidance of doubt.

Pre Occupation

3) Scheme of Access

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) Parking and Manoeuvring

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) Boundary Treatments

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

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

Other Conditions

6) Fixed Plant Noise

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) Contamination

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) Use Class

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) Construction Hours

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.

<u>Signed Case Officer¹:</u>	<u>Andrew Hunt</u>
<u>Signed Authorising Officer²:</u>	<u>Alan Kilroe</u>
<u>Date:</u>	<u>21/3/23</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 Works –

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.

Appendix 1 – Site Photographs

