

Regeneration and Economic Development Department

APPLICATION NO: 21/00915/FUL

APPLICANT: Abbey Group

WARD AFFECTED: Northwood

DEVELOPMENT: CHANGE OF USE OF MUNITIONS BUILDING TO STORAGE/DISTRIBUTION (B8) THE INSTALLATION OF DOORS, SHUTTERS AND EXTERNAL WORKS INCLUDING REMOVAL OF EARTH, CONSTRUCTION OF VEHICULAR ACCESS/EGRESS AND CAR PARKING, ERECTION OF FENCE TOGETHER WITH LANDSCAPING

LOCATION OF SITE: 9-10, Draw Well Road, Knowsley Industrial Park, Kirkby, L33 7BJ

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Industrial Area - Primarily Industrial Area

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS4 – Economy and Employment

CS7 - Transport Networks

CS11 – Principal Regeneration Area – Knowsley Industrial and Business Parks

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

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

EC3 - Primarily Industrial Areas

TECHNICAL CONSULTATIONS:

Highway Authority - No objections in principle.

Environmental Health - No objections in principle.

Conservation & Design Officer - Concerns regarding the removal of timber loading bay doors, removal of concrete wing wall and concrete retaining wall adjacent Draw Well Road and loss of mounding over the bunker.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

PROPOSAL

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The application seeks consent to change the use of a former ammunition storage bunker associated with the former munitions' factory to a B8 storage and distribution use with ancillary B2 use to allow finishing off the goods that they produce. The facility would be linked to an existing manufacturing facility nearby at a facility on Kirkby Bank Road which produces materials handling equipment such as conveyors, stillages, barriers, platforms, trolleys etc. The premises is required due to the company securing a contract which requires them to use the area which is used for storage on the current site for manufacturing purposes. The existing use is a sui generis use and therefore planning permission is required for the change of use to storage/distribution connected with the existing manufacturing site.

In addition, various physical works are proposed. These include: -

- a) Replacement of timber doors with roller shutter door;
- b) Removal of concrete wing wall and concrete retaining wall adjacent Draw Well Road;
- c) Removal of embankment/mounding;
- d) Removal of raised platform and incorporation of area into the building as W.C and ante-space access/egress together with internal corridor (fire escape);
- e) Internal works to form office, kitchen/canteen, W.C and enclosure of part of platform to form corridor staff entrance;
- f) Installation of access road and car parking to embankment area, off from Draw Well Road and including sliding access gate;
- g) Installation of paladin fencing to site perimeter with Draw Well Road, and partly along rear boundary from Draw Well Road to bunker;
- h) Internal structural repairs;
- i) Cladding of exposed concrete walls.

POLICY CONSIDERATIONS

The application site is in Knowsley Business Park and the use of the unit for B8 and B2 purposes is acceptable and in accordance with Policy CS11.

DESIGN, ACCESS AND CRIME PREVENTION

The existing unit would have a limited use due to the constraints of the site in terms of parking and access/egress together with its internal condition. The proposed works to the site are to allow the unit and site to operate as a commercial/business use by having sufficient space internally and to allow access and egress of mid-sized commercial vehicles to the site. The proposal will not harm the appearance of the site or the visual amenity of this locality within the Industrial Park. It will open up the end of Draw Well Road by the removal of the embankment/mound and the retaining wall and the installation of the access/egress arrangement and parking areas together with the paladin fencing. Security features are to be installed to the premises and the proposals do not raise crime or anti-social behaviour concerns. The application complies with Policies CS2 and CS19 of the Local Plan and saved Policy EC3 of the UDP.

HIGHWAYS

The application is proposing a change of use from sui generis to B8 Storage and Distribution with some ancillary B2 General Industrial use together with external works which include provision of a revised access arrangement from Draw Well Road and five staff car parking spaces. The maximum requirement for the use proposed relative to the size of unit as set out in the Ensuring a Choice of Travel SPD would be 10 spaces. Photographic evidence has been provided showing the relatively low activity that Draw Well Road experiences through a typical mid-week day. As such it is considered that this together with the no-through road nature of Draw Well Road and the unit being at the end of the no-through road and of a relatively small size would mean that if the additional five spaces not accommodated within the site were required on-road parking could take place satisfactorily without hindering other businesses operating in the vicinity. The Highways Engineer confirms this and has no objections to the application subject to a request for certain conditions. As such the application complies with Policies CS2 and CS7 of the Local Plan.

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OTHER ISSUES

Conservation/Heritage

The bunker is classed as a non-designated heritage asset due to its construction and use for ammunition storage during WWII when the larger area was operating as a munition's factory; as a result the application was accompanied by a Heritage Statement. The Conservation Officer has raised concerns with regard the following: -

- Removal of original timber loading bay doors;
- Removal of concrete wing wall and concrete retaining wall adjacent Draw Well Road; and
- Loss of mounding

The Conservation Officer advises that the pair of timber doors appear to be the only surviving example of such and their retention/repair is advised. It is also advised that the pair of wing walls appear to remain intact on only two of the surviving six magazines and ideally these should be retained or alterations minimised. Further advice is that the earth mound around and over the bunkers, including that area between the concrete retaining wall and the Magazine was an original feature, designed mainly to camouflage the building. The proposals do not propose reinstatement of any of the mounding and the Conservation officer notes that given the mounding is integral to the design of the building, it should be reinstated as far as practicable once the repairs, alterations and the process of drying out the structure is completed.

With regard to the above points the applicant has advised the following: -

1. The original doors are rotten and beyond repair and cannot be closed properly due to having distorted significantly and have had steel plates fixed to the outside face. These types of doors are also impractical for a modern facility.
2. The concrete wing wall and the concrete retaining wall are both in a poor condition structurally and are unstable. Furthermore, it is impractical to retain the grass banking and retaining wall along Draw Well Road as this area is required for car parking, servicing etc.
3. With regard the loss of mounding on roof, at present the roof is leaking badly in several places and needs to dry out and also requires a new waterproof covering. If the soil and grass are replaced it will make future maintenance significantly more difficult.

Given the highway requirements, and that a modern business is to operate from the facility due to expanded orders to its current operations together with the current state of the property and repair works required it is considered that on balance the proposed installation of the roller shutter doors, the loss of the walls, and the loss of the mounding/embankment to this non-designated heritage asset are acceptable as is the installation of cladding to the external concrete face of the Magazine bunker building. It is considered therefore that the application does not conflict with Policy CS20 of the Local Plan.

CONCLUSION

The proposal will allow an existing successful business within the Industrial Estate to expand by allowing the production area to increase at the current site and off-load the finished items, or items close to being finished, to be stored at the application site supporting a successful local business. It will also bring into use a site that has been empty and vacant for a considerable period of time, falling to neglect and disrepair. The characteristics of the site means that sufficient parking is provided and that any overspill parking on the highway would not affect highway safety or the flow of traffic. There will be original features of the Magazine site lost but these on the whole are to bring the site up to allowing a modern business to operate from there, with sufficient access/egress and some on-site parking, and to allow the roof to be waterproofed and maintained over the longer term; as such it is considered that the benefits do outweigh the loss of the non-designated Magazine features. It is therefore considered that the application complies with planning policies and is recommended for approval.

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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 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 largest vehicle to serve the site shall be limited to that highlighted on Drawing No. SCP/220075/ATR04 (09/02/2022) which highlights a vehicle of 8.9m length and 2.5m width.

Reason: To allow vehicle access/egress of the site without danger of damage to vehicles or parked cars, in the interests of highway safety and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2012.

- 4) The use hereby permitted shall not be brought into use until the areas indicated on Site Plan Drawing 105 Rev E (Received 24th March 2022) be set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) have been 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: To ensure on-site parking is in place from the start of operations in the interests of highway safety and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 5) Prior to first use of the development for the use hereby agreed details of a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of how measures to promote and encourage alternative modes of transport to the single-occupancy car would be communicated to employees. For the avoidance of doubt, the Travel Plan shall include, but not be limited to, the following:

- Involvement of employees.
- Information on existing transport policies, services and facilities, travel behaviours and attitudes.
- Access for all modes of transport.
- Targets for mode share.
- Resource allocation including Travel Plan Co-ordinator and budget.
- A parking and management strategy.
- A marketing and communications strategy.
- Appropriate measures and actions to reduce car dependence and encourage sustainable travel.
- An action plan, including a timetable for the implementation of each of the above.
- Mechanisms for monitoring, reviewing and implementing the Travel Plan.

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The approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The report shall include a review of the Travel Plan measures, monitoring data and updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable having regard to Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2012.

- 6) 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. 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 being brought into use.

Reason: To ensure that the development of the site minimises harm to the environment and to humans and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 7) Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan (MMP), signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

Reason: To ensure that the development of the site minimises harm to the environment and to humans and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 8) No topsoil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: To ensure that non-contaminated materials are brought to site in the interests of the environment and human safety and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 9) 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

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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: To protect the amenities of the occupiers of neighbouring site and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 10) Prior to installation details of the cladding of the external walls shall be submitted to and agreed in writing by the Local Planning Authority. The cladding shall only be undertaken using the agreed cladding details.

Reason: In the interests of visual amenity and to comply with saved Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy EC3 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 11) Prior to installation or within 3 months of installation the roller shutter doors shall be powder coated or painted a colour previously agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with saved Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy EC3 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 12) Notwithstanding any details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Hard surfaced areas and materials;
- b) Planting plans, specifications and schedules, planting size, and species;
- e) A detailed regime for the ongoing and longer term maintenance of all soft landscaping.

The approved landscaping works shall be implemented and completed prior to the use of the building hereby approved first coming into operation, or in the case of soft landscaping the first available planting season after if the use becomes operational outside the planting season.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Policy CS2 and Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/12/2021	LP	-	Location Plan

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24/03/2021	105	E	Existing and Proposed Site Plan plus Existing and Proposed Section
15/12/2021	106	-	Existing and Proposed Topographical Plans and Sections
01/12/2021	104	-	Proposed Elevations
01/12/2021	-	-	Proposed Floor Plan

Lee Osborne

28 March 2022

Alan Kilroe

29 March 2022

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