



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00915/FUL

Name and address of applicant

Abbey Group
4 Kirkby Bank Road
Knowsley Industrial Estate
Liverpool
L33 7SY

Name and address of agent

Lawrenson Associates
1 The Globe
142 Hardshaw Street
St. Helens
WA10 1JT

Date of Receipt: 1 December 2021

Date Valid: 15 December 2021

Address/Location Of Development:

9-10 Brazilian Joinery
Draw Well Road
Knowsley Industrial Park
Kirkby
L33 7BJ

Description of 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**

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 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.

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 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
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

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

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

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 (Lee Osborne on 0151 443 2395)

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.

Executive Director - Regeneration and Economic Development
Date: 29 March 2022

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.
- 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.