

<u>APPLICATION NO:</u>	22/00348/NMA2	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	Tingle Peg Farm, Ormskirk Road, Knowsley Village		
<u>PROPOSAL:</u>	NON-MATERIAL AMENDMENT TO 22/00348/FUL (ERECTION OF 3 NO. COMMERCIAL UNITS (USE CLASS B2 OR B8) INCLUDING MEZZANINE FLOOR, ANCILLARY OFFICE AND WELFARE FLOORSPEACE TOGETHER WITH SERVICE YARD, LOADING BAYS, CAR AND CYCLE PARKING, ELECTRIC VEHICLE CHARGING POINTS, DRAINAGE INFRASTRUCTURE AND LANDSCAPING TOGETHER WITH IMPROVEMENTS TO PUBLIC RIGHTS OF WAY LINKING ORMSKIRK ROAD AND KNOWSLEY LANE INCLUDING THE DIVERSION OF THE PUBLIC RIGHT OF WAY AND OTHER PEDESTRIAN ACCESSIBILITY WORKS) TO ALLOW FOR INCREASED INTERNAL OFFICE FLOOR SPACE TO FIRST FLOORS, ADDITIONAL WINDOWS TO UNITS 1 AND 3 ELEVATIONS, ADDITIONAL 6 NO. CAR PARKING SPACES, MINOR AMENDMENTS TO DRAINAGE PLANS AND MINOR AMENDMENTS TO SITE PLAN		

Site Description

The application site is located at Tingle Peg Farm, Knowsley Village and the site subject of this non-material application relates to the East of Knowsley Industrial and Business Park Sustainable Urban Extension (SUE) which is allocated for employment development.

The East Lancashire Road (A580) is located to the north; Ormskirk Road is to the west and Knowsley Lane to the south and east of the application site. The properties of Strawberry Lodge and The Cottage are located to the north-east and situated 75m away and 97m, respectively, from the closest unit (building 2).

Proposal

The proposal is for a non-material amendment following the grant of planning permission 22/00348/FUL (*erection of 3 no. commercial units (Use Class B2 or B8) including mezzanine floor, ancillary office and welfare floorspace together with service yard, loading bays, car and cycle parking, electric vehicle charging points, drainage infrastructure and landscaping together with improvements to Public Rights of Way linking Ormskirk Road and Knowsley Lane including the diversion of the Public Right of Way and other pedestrian accessibility works*), which was approved on 12th May 2023 and detailed the following condition (condition 2):

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

The application is seeking to make amendments which the applicant considers are non-material changes to the originally approved planning permission.

The changes are summarised as follows:

- Increased internal floor office floor space to first floors (originally across all 3 no. units)
- Additional windows to the elevations
- 6 no. additional car parking spaces
- Minor amendments to drainage plans
- Minor amendments to site plan

These proposed amendments to the originally approved scheme are supported by the following plans, in which the applicant intends for these to substitute the originally approved drawings:

Previously approved plan	Amended proposed plan
011-FRA-AV-XX-DR-A-90-1001 REV P12 PROPOSED SITE PLAN	19011-FRA-AV-XX-DR-A-0501-P05
19011-FRA-V1-XX-DR-A-20-0004 REV P7 UNIT 1 PROPOSED GA ELEVATIONS	19011-FRA-V1-XX-DR-A-20-0004 P8
19011-FRA-V1-ZZ-DR-A-20-0002 REV P7 UNIT 1 PROPOSED OFFICE GA PLANS	19011-FRA-V1-ZZ-DR-A-20-0002 P4
19011-FRA-V1-00-DR-A-20-0001 REV P3 UNIT 1 PROPOSED GROUND FLOOR GA PLAN	19011-FRA-V1-00-DR-A-20-0001 P4
19011-FRA-V2-XX-DR-A-20-0004 REV P5 UNIT 2 PROPOSED GA ELEVATIONS	19011-FRA-V2-XX-DR-A-20-0004 P6
19011-FRA-V1-XX-DR-A-20-0004 REV P7 UNIT 1 PROPOSED GA ELEVATIONS	19011-FRA-V1-XX-DR-A-20-0004 P8
19011-FRA-V1-ZZ-DR-A-20-0002 REV P3 UNIT 1 PROPOSED OFFICE GA PLANS	19011-FRA-V1-ZZ-DR-A-20-0002 P4
19011-FRA-V2-00-DR-A-20-0001 REV P3 UNIT 2 PROPOSED OFFICE GA PLANS	19011-FRA-V2-ZZ-DR-A-20-0002 P4
19011-FRA-V2-00-DR-A-20-0001 REV P3 UNIT 2 PROPOSED GROUND FLOOR GA PLAN	19011-FRA-V2-00-DR-A-20-0001 P4
19011-FRA-V2-R1-DR-A-20-0003 REV P2 UNIT 2 PROPOSED ROOF PLAN	19011-FRA-V2-R1-DR-A-20-0003 P3
19011-FRA-V3-XX-DR-A-20-0004 REV P5 UNIT 3 PROPOSED GA ELEVATIONS	19011-FRA-V3-XX-DR-A-20-0004 P6
19011-FRA-V2-R1-DR-A-20-0003 REV P3 PROPOSED OFFICE GA PLANS	19011-FRA-V3- ZZ-DR-A-20-0002 P4
19011-FRA-V3-ZZ-DR-A-0002 REV P3 UNIT 3 PROPOSED GROUND FLOOR GA PLAN	19011-FRA-V3-00-DR-A-20-0001 P4
19011-FRA-V3-R1-DR-A-20-0003 REV P2 UNIT 3 PROPOSED ROOF PLAN	19011-FRA-V3- R1-DR-A-20-0003 P3

Additional plans have also been submitted, which did not form part of the approved list under condition 2 but have been provided to detail the amendments and to aid the assessment of this application. These comprise of:

- 19011-FRA-AV-XX-DR-A-20-0005 P4 Unit 1 – Typical Sections
- 19011-FRA-AV-XX-DR-A-20-0005 P4 Unit 2 – Typical Sections
- 19011-FRA-AV-XX-DR-A-20-0005 P4 Unit 3 – Typical Sections

- 19011-FRA-AV-XX-DR-A-20-0005 P4 Unit 1 – Roof Plan
- 22075-BGL-XX-XX-DR-X-00200 P06 – Proposed Levels
- 22075-BGL-XX-XX-DR-C-00210 P06 – Drainage Layout
- Transport Note detailing Trip Generation and Parking Provision

Consultations

Local Lead Flood Engineer: - No concerns raised. The proposed drainage details are of a minor scale and do not significantly alter the originally approved application.

Representations

As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply.

Planning History

APP. NO: 22/00348/FUL
PROPOSAL: ERECTION OF 3 NO. COMMERCIAL UNITS (USE CLASS B2 OR B8) INCLUDING MEZZANINE FLOOR, ANCILLARY OFFICE AND WELFARE FLOORSPEACE TOGETHER WITH SERVICE YARD, LOADING BAYS, CAR AND CYCLE PARKING, ELECTRIC VEHICLE CHARGING POINTS, DRAINAGE INFRASTRUCTURE AND LANDSCAPING TOGETHER WITH IMPROVEMENTS TO PUBLIC RIGHTS OF WAY LINKING ORMSKIRK ROAD AND KNOWSLEY LANE INCLUDING THE DIVERSION OF THE PUBLIC RIGHT OF WAY AND OTHER PEDESTRIAN ACCESSIBILITY WORKS
DECISION: GRANTED
DECISION DATE: 12 May 2023

APP. NO: 22/00348/NMA1
PROPOSAL: ERECTION OF 3 NO. COMMERCIAL UNITS (USE CLASS B2 OR B8) INCLUDING MEZZANINE FLOOR, ANCILLARY OFFICE AND WELFARE FLOORSPEACE TOGETHER WITH SERVICE YARD, LOADING BAYS, CAR AND CYCLE PARKING, ELECTRIC VEHICLE CHARGING POINTS, DRAINAGE INFRASTRUCTURE AND LANDSCAPING TOGETHER WITH IMPROVEMENTS TO PUBLIC RIGHTS OF WAY LINKING ORMSKIRK ROAD AND KNOWSLEY LANE INCLUDING THE DIVERSION OF THE PUBLIC RIGHT OF WAY AND OTHER PEDESTRIAN ACCESSIBILITY WORKS - NON MATERIAL AMENDMENT SEEKING AN AMENDMENT TO CONDITON 2 TO AMEND APPROVED PLANS TO ALTER THE MATERIAL OF THE PARKING AREAS FROM BLOCK PAVING TO CONCRETE AND TARMAAC
DECISION: GRANTED
DECISION DATE: 6 December 2024

Relevant Policy

KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (SAVED POLICIES 2006)

EC2 – Sites Allocated for Employment Development
T5 – Location of Major Traffic Generating New Development
T7 – New Development and Walking & Cycling Routes
T8 – Transport Assessments
T9 – Travel Plans
DQ2 – Security in the Built Environment
DQ3 – Gateway Sites and Corridors
DQ4 – Trees and Development
ENV2 – Noise and Vibration
ENV5 – Contaminated Land

KNOWSLEY LOCAL PLAN CORE STRATEGY (2016)

SD1 – Sustainable Development
CS1 – Spatial Strategy for Knowsley
CS2 – Development Principles
CS4 – Economy and Employment
CS7 – Transport Networks
CS8 – Green Infrastructure
SUE1 – Sustainable Urban Extensions and Safeguarded Land
SUE2 – Sustainable Urban Extensions – Development Principles
CS19 – Design Quality and Accessibility in New Development
CS20 – Managing the Borough's Historic Environment
CS21 – Trees and Development
CS24 – Managing Flood Risk
CS26 – Waste Management
CS27 – Planning for and Paying for New Infrastructure

MERSEYSIDE WASTE LOCAL PLAN (2013)

WM8 – Waste Prevention and Resource Management
WM9 – Sustainable Waste Management Design and Layout for New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Trees and Development SPD (2016)
Developer Contributions SPD (2016)
Adding Social Value to Development: Employment and Skills SPD (2018)

Article 35 Statement

Not applicable.

ASSESSMENT

The application is for the consideration of non-material amendments following the grant of planning permission on the 12.05.2023 for 22/00348/FUL. The sought changes are outlined in the proposal section of the report.

Planning Policy Guidance (PPG) - Flexible options for planning permissions, Paragraph 002, stipulates that *there is no statutory definition of 'non-material'*. This is because it will be dependent on the context of the overall scheme. It furthers that the

LPA must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

The Local Planning Authority (LPA) must consider whether the proposal would result in a material change from the previously approved permission and whether it would result in any material change or impact.

Increased internal office floor space:

The first-floors (only) of the 3 no. units would be expanded as follows:

- Unit 1 – would be expanded from 325sqm (4,370ft²) to **406sqm** (4,370ft²)
- Unit 2 – would be expanded from 139sqm (1,500ft²) to **309sqm** (3,326 ft²)
- Unit 3 – would be expanded from 232sqm (2,500sq²) to **397sqm** (4,273 ft²)

These changes would be internal and involve no external enlargement to the proposal as originally approved. The proposed changes would be non-material and would not detrimentally alter the original permission. The proposal would still retain its commercial use.

Implications to parking requirements are further addressed later in this report.

Additional windows to elevations:

To accommodate the expanded first-floor office internal floor space, additional windows and glazing is required to the elevations of the 3 no. units.

Unit 1 (north-east elevation)

This elevation would see a small increase of the windows to this elevation. This would be a very minor change from the previously approved elevations for this unit and not significantly alter the appearance of this elevation.

Unit 2 (north-east elevation)

The amendments to increase the number of windows to the elevations of Unit 2 have been removed from this NMA, as the applicant was advised that the changes were considered to be material due to the potential impact of the windows may have on the residential properties to the north east. The applicant agreed and is intending to submit a S73 for the proposed amendment to Unit 2. However, an approved elevation drawing is proposed as there are minor changes to the elevations in terms of materials and the moving of a fire door on the north east elevation.

Unit 3 (south-east elevation)

This elevation would also a larger extent of fenestration than originally approved, however whilst the appearance of this façade would change, it would not be inconsistent as the originally approved details. Whilst the amount of fenestration to this elevation would increase, it would not significantly detract from the original elevation given it would appear harmonious and coherent to the rest of the elevation and subsequently, not detract from the originally approved elevations. Furthermore, this elevation is inward facing within the site and is oriented facing the north-west

side elevation of Unit 2, which adequately screens this change from views along Knowsley Lane.

Overall, the additional fenestration to the elevations would be considered a non-material amendment in the context of the scale of the proposed development. Whilst the glazing would be increased to Units 1 and 3, given that it would not significantly detract from the originally approved design and would simply continue the elevations (which enhances that elevation by offering some consistent rhythm to this layout). Given that this has no significant variation to the appearance or design as originally approved, it would be inconsequential in the context of the scale and size of the original application and therefore would be considered a non-material amendment.

Additional car parking:

Due to the increase to the first-floor office space within the proposed units, it is necessary that a small uplift to the on-site car parking is required.

The original approved application was assessed on the basis of a mix of 70% of the floorspace being used for B8 (Storage and Distribution) uses and 30% being used for B2 (General Industrial) uses. The proposal overall included a dual use for both B2 or B8 uses.

The Transport Assessment submitted with the original application asserted that, on average, there would be 43 no. spaces spare, to which the Local Highway Authority concurred.

The application has been supported by a Technical Note to consider the proposed minor amendments to the original application. The applicant considers that the increased total floorspace (from 14,641m² to 15,042m²) would mean that an additional 6 no. parking spaces would be required. The required uplift of parking spaces has been based on the 70% B8 use and 30% B2 use split for each unit.

These spaces have been shown on the submitted Proposed Site Masterplan (19011-FRA-AV-XX-DR-A-0501 REV P05) and increasing the total provision from 203 no. to 209 no. parking spaces.

The Technical Note furthers that the provision of 45 no. full spaces has been shown at Unit 2 to accommodate the circa 70:30 B8:B2 split given the proposed site layout, size of service yard and the positioning of the building entrance (the proposed elevation changes to Unit 2 no longer form part of this NMA and will be considered via a S73 application). With regards to Units 1 and 3, the 73 no. and 52 no. spaces shown are slightly over the parking provision requirements for a solely B8 development, and land within the service yard has been identified to show that additional 'flexible' spaces can be implemented should B2 use of up to 30% be introduced for each unit.

Furthermore, the Technical Note outlines that even if the full extent of on-site parking was used on a solely B2 use basis (the car park spaces would be over capacity (excluding 2 no. spaces between the hours of 13:00-14:00)). As it has been shown on the Proposed Site Masterplan that an additional 39 no. spaces can be provided within the service yards, there is more than sufficient parking capacity to accommodate, even on the worst-case scenario of a fully B2 use of the site.

It is unlikely that the full extent of the site would be used for B2 use, given that the original application is for a mixed use, with the predominant use as a B8 use. The below is an extract taken from the original Transport Assessment for the

determination of 22/00348/FUL

The second extract is from the Technical Note submitted for consideration with this application.

Table 3.1 Proposed Parking Provision

Category	Building 1	Building 2	Building 3	Total
GFA (m ²)	6,913	3,091	5,038	15,042
Car Park Spaces (B8)	73	45	52	170
Potential Flexible Spaces (B2)	22	0	17	39
Total Parking Provision	95	45	69	209
Accessible Spaces (5%)	5	3	4	12
EV Spaces (10%)	10	5	7	22
External Cycle Spaces	16	8	12	36
Internal Cycle Spaces	15	8	12	35
Motorcycle Spaces	7	3	6	16

The car parking for B8 has increased by 6 no. spaces to a total of 170 no. spaces. The potential flexible spaces (B2) remains at 39 no. spaces.

Amendments to drainage plan:

The Council's Drainage Engineer has been consulted on the application. The proposed changes to drainage from the originally approved scheme are minor amendments to the drainage plans to accommodate the parking arrangement. The Drainage Engineer has reviewed the submitted plans and has advised that the proposed amendments have no impact on the previously assessed drainage strategy. Therefore, it is considered that the proposed drainage amendments are minor and would not significantly change the application as originally approved.

Amendments to site plan:

The proposed site plan has been amended which does show a small decrease to the size of yards, however, it is of a small scale and does not detrimentally alter the original application.

Conclusion

The proposed changes and amendments are minor in nature when considered in the overall context of the scale and size of the development and subsequently, are considered to be non-material amendments. The proposed amendments would not significantly deviate from the originally approved application. The changes sought also would not alter the character of the proposal, which is industrial in nature.

Recommendation

That the non-material amendment application be granted subject to the following condition:

- 1) The plans listed below are those approved. The development must be taken in accordance with the approved plans on the original application, 22/00348/FUL and 22/00348/NMA1, unless amended by the plans included within Schedule 1 below, including any conditions attached to that permission. No substitution should be made without prior consent from the Local Planning Authority. Failure to adhere to the details of the approved plans or to comply with the conditions on the original planning permission constitutes a contravention of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28/04/2026	19011-FRA-V2-XX-DR-A-20-0004	Rev P8	UNIT 2 – PROPOSED GA ELEVATIONS
12/03/2026	19011-FRA-V1-XX-DR-A-20-0004	REV P9	UNIT 1 - PROPOSED GA ELEVATIONS
12/03/2026	19011-FRA-V3-XX-DR-A-20-0004	REV P7	UNIT 3 - PROPOSED GA ELEVATIONS
14/11/2025	19011-FRA-V1-00-DR-A-20-0001	REV P4	UNIT 1 - PROPOSED GROUND FLOOR GA PLAN
14/11/2025	19011-FRA-V1-R1-DR-A-20-0003	REV P3	UNIT 1 - PROPOSED ROOF PLAN
14/11/2025	19011-FRA-V1-ZZ-DR-A-20-0002	REV P4	UNIT 1 - PROPOSED OFFICE GA PLANS
14/11/2025	19011-FRA-V3-00-DR-A-20-0001	REV P4	UNIT 3 - PROPOSED GROUND FLOOR GA PLAN
14/11/2025	22075-BGL-XX-XX-DR-C-00210	REV P06	DRAINAGE LAYOUT
14/11/2025	19011-FRA-V3-ZZ-DR-A-20-0002	REV P4	UNIT 3 - PROPOSED OFFICE GA PLANS
31/03/2026	19011-FRA-AV-XX-DR-A-0501	REV P06	PROPOSED SITE MASTERPLAN
14/11/2025	22075-BGL-XX-XX-DR-C-00200	REV P06	PROPOSED LEVELS
14/11/2025	19011-FRA-V3-R1-DR-A-20-0003 REV P3	REV P3	UNIT 3 – PROPOSED ROOF PLAN

Signed Case Officer¹:

Jo Sheridan

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

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

10 June 2026

Informatives

Not applicable.

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