

<u>APPLICATION NO:</u>	24/00687/FUL	<u>CASE OFFICER:</u>	Mark Quinn
<u>WARD:</u>	Stockbridge	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	Earlsfield Park, Arley Drive, Huyton		
<u>PROPOSAL:</u>	VARIATION OF CONDITION 4 ATTACHED TO PLANNING PERMISSION 23/01429/REM (APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 20/00376/OUT (OUTLINE PLANNING PERMISSION FOR 30,530 SQ M OF EMPLOYMENT FLOOR SPACE (USE CLASS B1 / B8) - ACCESS TO BE CONSIDERED AT THIS STAGE (ALL OTHER MATTERS RESERVED) - APPROVAL SOUGHT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) TO ALLOW FOR THE EXTENDED USE OF UNIT 3 FROM CLASS B1 (NOW CLASS E (G) (II) (III)) AND CLASS B8 TO INCLUDE CLASS F1 (A), TRAINING FACILITIES		

Site Description

This site has outline planning permission for employment floorspace (ref planning permission 20/00376/OUT). This reserved matters application relates to part of the Knowsley Lane Sustainable Urban Extension Site located to the North of Knowsley Lane and to the South of the M57 motorway. This site is bounded by the M57 to the north, the southern parcel of the Sustainable Urban extension to the south, the new Bellway residential development to the west and the existing petrol filling station and drive thru coffee shop to the east. The existing dwellings on the Bellway residential development are at least 64m from the nearest building (Unit 2) and a minimum of 128m from the closest dwellings on Knowsley Lane.

Unit 3 the subject of this variation is sited approximately 180m from existing dwellings on the Bellway residential development and a minimum of 140m from the closest dwellings on Knowsley Lane.

Proposal

Units 2-6 (inclusive) are now substantially complete however are not yet occupied. An end user has been found to occupy unit 3 but this would comprise a training facility which would fall within

use class F1 (a) , thus outside of the permitted uses Class E (g) (i) (ii) (iii) and B8 which have been granted planning permission under ref 20/00376/OUT.

The proposed amendment is to include Use Class F1 (a) in the list of permitted uses for Unit 3 only within planning condition 4 attached to reserved matters approval 23/01429/REM.

Consultations

Knowsley Parish Council - No Comments Received

Highway Authority - No objections subject to adequate cycle parking being provided

Environmental Health - No objections in principle , however an operational framework and noise assessment/ mitigation plan would still be required as set out in Condition 19 attached to 20/00376/OUT.

Representations

This application has been publicised by letters sent to 18 neighbours. It has also been advertised by Site Notice and a Press Notice. No representations have been received.

Planning History

APP. NO: 20/00376/OUT
PROPOSAL: OUTLINE PLANNING PERMISSION FOR 30,530 SQ M OF EMPLOYMENT FLOOR SPACE (USE CLASS B1 / B8) - ACCESS TO BE CONSIDERED AT THIS STAGE (ALL OTHER MATTERS RESERVED)
DECISION: PER
DECISION DATE: 3 February 2021

APP. NO: 23/01429/REM
PROPOSAL: APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 20/00376/OUT (OUTLINE PLANNING PERMISSION FOR 30,530 SQ M OF EMPLOYMENT FLOOR SPACE (USE CLASS B1 / B8) - ACCESS TO BE CONSIDERED AT THIS STAGE (ALL OTHER MATTERS RESERVED) - APPROVAL SOUGHT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE
DECISION: PER
DECISION DATE: 8 December 2023

APP. NO: 24/00686/FUL
PROPOSAL: VARIATION OF CONDITION 26 ATTACHED TO PLANNING PERMISSION 20/00376/OUT (OUTLINE PLANNING PERMISSION FOR 30,530 SQ M OF EMPLOYMENT FLOOR SPACE (USE CLASS B1 / B8) - ACCESS TO BE CONSIDERED AT THIS STAGE (ALL OTHER MATTERS RESERVED) TO ALLOW FOR THE EXTENDED USE OF UNIT 3 FROM CLASS B1 (NOW CLASS E (G) (II) (III)) AND CLASS B8 TO INCLUDE CLASS F1 (A), TRAINING FACILITIES
DECISION: Pending Consideration
DECISION DATE: -

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
CS7 - Transport Networks
SUE1 - Sustainable Urban Extensions and Safeguarded Land
SUE2 - Sustainable Urban Extensions - Development Principles
SUE2a - Sustainable Urban Extensions - Knowsley Lane

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

EC2 - Sites Allocated for Employment Development
ENV2 - Noise and Vibration

OTHER CONSIDERATIONS

National Planning Policy Framework
Earlsfield Park (Knowsley Lane SUE) Draft SPD (2017)
Ensuring a Choice of Travel SPD (2010)

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

This application relates to Unit 3 on Earlsfield Park. Currently in line with earlier permissions as set out above this unit has planning consent for Use Classes E (g) (ii) (iii) and B8. This application seeks to extend the uses of Unit 3 only to include Class F1 (a) Training Facilities.

This would require the variation of condition 4 attached to reserved matters approval 23/01429/REM.

Condition 4 states

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the premises to which this permission relates shall be used only for any use falling within Use Classes E parts (g) (ii) (iii) and Use Class B8 and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

The applicant now has a prospective client ready to occupy this unit. The client is a company called RelyOn who are a global business delivering safety and competence services across the world and supports safety critical industries manage safety across their business.

RelyOn provide training to safety critical industries such as renewable energy companies, Utilities (water, gas, electrical) and manufacturing industries.

Training is undertaken to prepare delegates in these areas for safe operation, survival, and rescue of themselves and others which working at height, in confined space, on rope access, while transferring by boat, administering first aid, the basics of firefighting operations, and technical operations training (electrical, pneumatic, mechanical, joint integrity, small bore tubing). Safe moving of loads via lifting techniques, rigging and slinging as well as banksman training are delivered. These are the key types of training but it is not limited to this as industry is continually identifying new skills needs.

Planning Policy Considerations

These are set out in the delegated report to the variation of the Outline Planning Permission ref 24/00686/FUL.

Operations

The future occupiers would employ approximately 20 staff. These staff would train approximately 100 people over the course of a week (20 per day over a 5 day week). On a typical day it is anticipated there would be circa 20 people on site including staff. The training will be undertaken during standard office hours with no training taking place during evenings or weekends. The vast majority of traffic accessing the Unit would be cars with only very limited HGV's needed access other than for maintenance or if any crane training is required.

The proposal would allow for two existing sites in Liverpool and Manchester to centralise under one roof. This site has been chosen because of an identified skills gap within the northwest region. A building with a minimum eaves height of 10m is required due to specific technical

training they have to undertake within the building relating to training for working at height.

Reserved Matters

This application only proposes an additional use class to be included for Unit 3 to permit the training use to commence lawfully. It does not propose any alterations to the buildings elevations, car parking, access or landscaping covered by the site are of the previous reserved matters approval (ref 23/01429/REM)

Highways

KMBC highway engineers have raised no objections to the proposal subject to adequate cycle storage being provided at the Unit. Cycle storage for the individual units is already secured under condition 3 attached to the reserved matters approval referred to above. Whilst 5 covered cycle spaces were originally proposed for unit 3 in line with the requirements set out in the Ensuring a choice of Travel SPD this has now been increased to 10 cycle spaces for the training use now proposed, which is acceptable to KMBC Highways.

Environmental Health Considerations

No objections in principle to the training facility. An operational framework and noise assessment would still be required for the proposed use which is secured by condition 15 attached to this planning permission.

Conclusion

The proposed training use for Unit 3 is considered to be an appropriate use for this business park and would not adversely impact on the character or appearance of the park. It would therefore be in compliance with the relevant Local Plan policies above and NPPF. Whilst technically this is not classed as an employment use the proposal would create 20 new jobs in the borough which is more than some storage and distribution uses.

There are no highway safety issues or issues relating to noise and disturbance which would prevent planning permission being granted.

Recommendation

That planning permission be granted subject to the following conditions:-

- 1) 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.

- 2) Prior to the first occupation of each unit full details of waste/recycling storage areas and associated collection/management arrangements shall be submitted to and approved in writing by the Local Planning Authority. The storage areas shall be

installed prior to the first occupation and thereafter waste collected /managed in accordance with the approved details.

Reason: To ensure satisfactory waste/recycling facilities are provided for each unit to ensure compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan .

- 3) Prior to the first occupation of any unit the cycle and motorcycle parking approved pursuant to condition 3 attached to reserved matters application 23/01429/REM and also Drawing M3167-114 Rev A which provides for 10 cycle hoop spaces for Unit 3 shall be fully implemented in accordance with the approved details prior to the first occupation of the respective unit.

Reason: To ensure adequate cycle/ motorcycle storage facilities are provided for each unit in the interests of sustainable travel and to ensure compliance with Policy CS7 in the Knowsley Local Plan Core Strategy.

- 4) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the premises to which this permission relates shall be used only for any use falling within Use Classes E parts (g) (ii) (iii) , Use Class B8 and in the case of Unit 3 only - Use Class F1 a) for the provision of education and for no other purpose, including any other use falling within Class E or Class F of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for a further use, whether or not it falls within the same Use Class and to comply with CS7 & CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016

- 5) The landscaping areas within the site shall be managed in accordance with the landscape management plan approved pursuant to Condition 5 attached to reserved matters approval ref 23/01429/REM.

The landscape management plan shall be implemented as approved before the development is occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority.

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, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the National Planning Policy Framework.

- 6) The protective fencing referred to in the Arboriculture Impact Assessment Drg AIA01 Rev A submitted under reserved matters application 23/01429/REM shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
27/12/2024	-	-	Planning and Operational Need Statement
27/06/2023	M3167-108	REV A	SITE LOCATION PLAN
12/02/2025	M3167-114	REV A	CYCLE PARKING

Signed Case Officer¹:

Mark Quinn

Signed Authorising Officer²:

Jo Sheridan

13/03/2025

Date:

Informatives

- 1 The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the

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

Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026

Appendix 1 – Site Photographs







