



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00763/FUL

Name and address of applicant

eStar Truck & Van
Leacroft Road
Birchwood
Warrington
WA3 6NN

Name and address of agent

Scaramanga Design Limited
Studio 6
Chestnut Court
Jill Lane
Sambourne
B96 6ES

Date of Receipt: 25 September 2021

Date Valid: 25 September 2021

Address/Location Of Development:

Unit 3 Alchemy Way
Knowsley Industrial Park
Kirkby
Knowsley
L33 7XN

Description of Development:

EXTERNAL ALTERATIONS TO SOUTH AND EAST ELEVATIONS INCLUDING PAINTING OF EXISTING CLADDING, INSTALLATION OF NEW SECTIONAL VEHICLE DOORS AND NEW GLAZED WINDOWS. ERECTION OF A NEW EXTERNAL COMMERCIAL VEHICLE CLEANING WASH BAY AND THE CREATION OF 8 NO. TRUCK PARKING SPACES ASSOCIATED WITH THE CONVERSION OF INDUSTRIAL UNIT TO FORM COMMERCIAL VEHICLE WORKSHOP INCLUDING ANCILLARY STORAGE AND OFFICES AND TACHO TESTING

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 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. The areas indicated on Site Plan Drawing Number DC97/10 (Rev A) to be set aside for parking, servicing, vehicular manoeuvring shall be drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such at all times that the use is in operation.

Reason: In the interests of highway and pedestrian safety and to comply with the National Planning Policy Framework (2021) and Policy CS7 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

3. Any 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 safeguard nearby occupiers from noise and disturbance, and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. No external refuse / recycling stores/enclosures shall be sited unless precise scheme details of siting; waste containers; elevational details; and method of collection for disposal have first been submitted to and agreed in writing by the Local Planning Authority

The development shall be carried out only in accordance with the agreed details and retained thereafter that the use is in operation.

5. No parts, crates, waste, refuse or any other item shall be stacked or stored outside the building on the site without the prior approval in writing of the Local Planning Authority (other than in that agreed pursuant to condition 4).

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2021) and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

6. Within 3 months of the date of this permission a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to:

- 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 modes of transport other than the private car and to ensure that the development is sustainable, having regard to the National Planning Policy Framework (2021), Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy T9 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and the Ensuring a Choice of Travel SPD (2010).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
25/09/2021	DC97/13	-	SITE LOCATION PLAN
25/09/2021	DC97/11	-	PROPOSED GROUND AND FIRST FLOOR PLANS UNIT 3 - PLANNING APPLICATION
25/09/2021	DC97/12	-	PROPOSED ELEVATIONS UNIT 3 - PLANNING APPLICATION
25/09/2021	DC97/10	REV. A	PROPOSED SITE PLAN UNIT 3 - PLANNING APPLICATION

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:-

National Planning Policy Framework

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

CS22 - Sustainable and Low Carbon Development

CS23 - Renewable and Low Carbon Infrastructure

CS24 - Managing Flood Risk

CS26 - Waste Management

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

EC2 - Sites Allocated for Employment Development

EC4 - Regional Investment Site: Kings Business Park

T7 - New Development and Walking & Cycling Routes

T8 - Transport Assessments
T9 - Travel Plans
T10 - Access for the Less Mobile
DQ2 - Security in the Built Environment
DQ3 - Gateway Sites and Corridors
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV3 - Light Pollution
ENV5 - Contaminated Land

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 (Maxine Wishart on 0151 443 2381)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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.

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

- 1 Contaminated Land (Advisory Note)
Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with

the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to 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 should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

- 2 The applicant's attention is drawn to the comments of Merseyside Fire and Rescue Authority in their letter dated 23 November 2021 as appended to this decision.

Executive Director - Regeneration and Economic Development

Date: 1 July 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.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- 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.