

Regeneration and Economic Development Department

APPLICATION NO: 21/00776/FUL

APPLICANT: eStar Truck & Van

WARD AFFECTED: Northwood

DEVELOPMENT: EXTERNAL ALTERATIONS TO SOUTH, EAST AND NORTH ELEVATIONS INCLUDING PAINTING OF EXISTING CLADDING, INSTALLATION OF NEW SECTIONAL VEHICLE DOORS, CANOPY AND NEW GLAZED SHOPFRONT AND WINDOWS TOGETHER WITH THE ERECTION OF A NEW EXTERNAL COMMERCIAL VEHICLE CLEANING WASH BAY AND ALTERATIONS TO PARKING LAYOUT ASSOCIATED WITH THE CONVERSION OF INDUSTRIAL UNIT TO FORM COMMERCIAL VEHICLE WORKSHOP WITH MOT TESTING INCLUDING PARTS / ANCILLARY STORAGE AND OFFICES

LOCATION OF SITE: 1 Element, Alchemy Way, Knowsley Industrial Park, Kirkby, Knowsley, L33 7AH,

KNOWSLEY LOCAL PLAN ALLOCATION –

Primarily Industrial Area

RELEVANT POLICIES

National Planning Policy Framework (2021)

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS7 - Transport Networks
CS11 - Principal Regeneration Area - Knowsley Industrial and Business Parks
CS19 - Design Quality and Accessibility in New Development
CS26 - Waste Management

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

EC3 - Primarily Industrial Areas
T9 - Travel Plans
DQ2 - Security in the Built Environment
DQ3 - Gateway Sites and Corridors
ENV2 - Noise and Vibration
ENV5 - Contaminated Land

TECHNICAL CONSULTATIONS:

Highway Authority - No objections subject to condition relating to the laying out of parking, servicing and vehicle manoeuvring areas.

Environmental Health - No objection in principle subject to conditions relating to fixed plant noise control; the submission of a construction management plan and controls over construction hours.

Health and Safety Executive - Do not advise, on safety grounds, against the granting of planning permission in this case.

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Merseyside Fire and Rescue Authority - No objection. Make observations in relation to access for fire appliances; water supplies for fire-fighting purposes; and Section 55 of the County of Merseyside Act 1980.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 7 neighbours. It has also been advertised by Site Notice. No representations have been received.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

RELEVANT PLANNING HISTORY

APP. NO: 16/00506/SO
PROPOSAL: ENVIRONMENTAL IMPACT ASSESSMENT SCREENING OPINION REQUEST IN RESPECT OF A HYBRID APPLICATION FOR B1(b), B1(c), B2 & B8 EMPLOYMENT USES WITH ANCILLARY B1(a) OFFICE SPACE.
DECISION: EIA not required
DECISION DATE: 24 August 2016

APP. NO: 16/00567/HYB
PROPOSAL: FULL APPLICATION FOR THE ERECTION OF 3 NO. UNITS B1(B), (C) / B2/B8 USE (UP TO 9,707 M), RE-PROFILING OF EXISTING BUNDS AND LANDSCAPING WORKS, ACCESS, PARKING & ANCILLARY WORKS.
DECISION: Granted
DECISION DATE: 26 March 2018

APP. NO: 21/00733/ADV
PROPOSAL: DISPLAY OF SIGNAGE COMPRISING; FRONT OF BUILDING; 2 NO. INTERNALLY ILLUMINATED FASCIA SIGNS AND RIGHT HAND SIDE OF BUILDING NON ILLUMINATED FREE STANDING SINGLE SIDED ENTRY SIGN AND; CAR PARK; 1 NO. INTERNALLY ILLUMINATED DOUBLE SIDED PYLON SIGN TO FRONT LEFT HAND SIDE OF CAR PARK/PAVED AREA, 1 NO. INTERNALLY ILLUMINATED DOUBLE SIDED PYLON SIGN TO FRONT RIGHT HAND SIDE OF CAR PARK/PAVED AREA, 1NO INTERNALLY ILLUMINATED FREE STANDING SINGLE SIDED GATEWAY SIGN TO REAR OF CAR PARK/PAVED AREA, 3 NO. FLAG POLE SIGNS TO FRONT OF CAR PARK/PAVED AREA AND 1 NO. FLAT DI-BOND PANEL SIGN TO REAR CAR PARK/PAVED AREA AND; ALCHEMY WAY ROUNDABOUT; 1 NO. INTERNALLY ILLUMINATED DOUBLE SIDED PYLON SIGN
DECISION: Granted
DECISION DATE: 25 November 2021

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SITE AND SURROUNDINGS

The application site comprises one of three industrial warehouse units located on the western side of Alchemy Way on Knowsley Business Park, Kirkby. Alchemy Way is accessed off the East Lancashire Road. The unit has consent for B2 and B8 uses granted under planning reference 16/00567/HYB.

PROPOSAL

The application seeks consent for external alterations to south, east and north elevations including painting of existing cladding, installation of new sectional vehicle doors, canopy and new glazed shopfront and windows together with the erection of a new external commercial vehicle cleaning wash bay and alterations to parking layout associated with the conversion of an industrial unit to form commercial vehicle workshop with MOT testing including parts/ancillary storage and offices. The layout also includes ancillary WC/lockers and staff canteen facilities together with a service reception and customer waiting area.

The works have taken place and the application will now relate to the retention of the use and associated works.

The applicant has been submitted alongside a planning application referenced 21/00763/FUL which relates to Unit 3 Alchemy Way and proposes:

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.

POLICY CONSIDERATIONS

The application site is allocated as a Primarily Industrial Area in the Local Plan Policies Map. Planning permission was granted for the use of the unit for B1 (b), (c) / B2 / B8 Use under reference 16/00567/HYB.

Saved Policies DQ3, EC3 and ENV2 and Policies CS2, CS4, CS7 and CS11 of the Local Plan Core Strategy and provide the primary policy context against which the application should be appraised and should be considered alongside relevant parts of the National Planning Policy Framework (NPPF).

Saved Policy DQ3 of the Knowsley UDP (Gateway Sites and Corridors) seeks to ensure that new development proposals which are within or adjacent to, or visible from identified routes should seek to enhance the visual appearance of the route. Whilst Alchemy Way is not specifically identified in the policy, the unit is visible from the East Lancashire Road which provides important 'gateway' links between the strategic transport network and the Boroughs town and other centres.

Saved Policy EC3 of the Knowsley Replacement Unitary Development Plan 2006 (UDP) applies. This policy seeks to preserve the use of sites within Primarily Industrial Areas for operations that fall within Class B of the Use Classes Order. Proposals for development for other uses in these areas would only be permitted where an applicant can demonstrate that their scheme satisfies the following caveats set out under Criterion 2 of Policy EC3 of the UDP:

- a) Be complementary to and compatible with the surrounding employment uses;
- b) Be consistent with any approved regeneration strategy for the area;
- c) Preserve or enhance the image of the industrial area; and
- d) Avoid causing an unacceptable loss of land available for industrial development.

A key requirement of the Core Strategy therefore is to facilitate employment development of the right type and in the right location to support the Council's employment priorities.

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In terms of the Use Classes covered in Policy EC3 above, Use Classes changed in September 2020 and Business (B1 a-c) is revoked and effectively replaced with the new Class E (g) (Commercial, Business and Service):

- E(g)(i) Offices to carry out any operational or administrative functions
- E(g)(ii) Research and development of products or processes
- E(g)(iii) Industrial process.

B2 (General Industry) remains for industrial process other than that falling within Class E(g) (previously B1) as does B8 (Storage and Distribution).

The overall use maintains an industrial character and shares similar characteristics with a B2 use which can be appropriately located in this industrial location.

The proposed use of the subject premises would not be contrary to criteria (a) to (d) of EC3 above; the site which it occupies is considered to be a reasonable location for the proposed use, and the image of this site and its surroundings will be preserved.

Policy CS4 supports the sustainable economic growth of the Borough and improving the accessibility to an appropriate range of jobs by encouraging proposals for new employment development. Land that is in use or allocated for employment development will be safeguarded from changes to other types of development, except where: there is no current or likely future demand for employment uses on the land; or where other uses would bring wider regeneration, environmental and amenity benefits.

Policy CS11 of the Local Plan also supports a mix of new high quality employment development.

The proposed use of the premises for the vehicle repair workshop and MOT testing is considered to fall squarely within a B2 (General Industry), however, the other elements of the proposal, which would occupy almost half the floorspace of the unit, is considered to result in the development being a mixed-use (Sui Generis). However, the other non B2 use of the premises is considered to be symbiotic with the provision of repair and maintenance, and it is not considered that there is a need for the disaggregation of other elements to be provided on non employment use sites.

The proposal would result in employment of the equivalent of 34 no. full time employees giving employment opportunities which is a direct benefit of the development.

The application site is within a primarily industrial area and therefore the use proposed is acceptable in principle and would be in compliance with the above policies subject to the detailed considerations set out below.

DESIGN, ACCESS AND CRIME PREVENTION

External Alterations

The application seeks consent for external alterations to the south, east and north elevations which includes:

- Painting of existing cladding;
- Installation of new sectional vehicle doors;
- New glazed shopfront and windows; and
- Canopy.

The canopy is located on the southern elevation of the building wrapping around onto the eastern elevation, over the service drop off bays and 'goods in' entrance and the new 'main customer entrance'. The larger part of the canopy is to the southern elevation, having dimensions of 9.26 m deep by 18 m wide. A narrower section sits over the customer entrance and new glazed lobby (shopfront), projecting 1.62 m from the main elevation.

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The design and appearance of which are considered to be entirely appropriate for the business park.

Wash Bay

In addition, the application relates to the erection of a new external commercial vehicle cleaning wash bay measuring 10 m by 5 m. This is located immediately to the front of the building, set behind the existing paladin fencing. 3-metre-high vertical cladding coloured black on galvanized posts forms the wash-bay screen.

The wash-bay includes a concrete slab and ramp, laid to falls with new foul drainage with interceptor. Although in a prominent position at the front of the site, the wash-bay is located within a service yard associated with the unit and it is not considered that this type of structure would be incongruous in this industrial setting.

Alterations to Car Parking Layout / Yard Area

The layout is altered to provide amendments to the parking spaces within the existing car park located to the eastern side of the building. The development also includes the re-configuration of the yard area to the south of the building. The re-configuration of the yard forms a compound comprising the provision of 21 car parking spaces together with 25 van parking spaces and 4 no. service drop off bays.

Alterations to Access Gates / Fencing

As part of the re-configuration of the yard area to form the new compound to the front of the building, a paladin gate is removed and replaced with matching fencing and the gate re-sited at the southern end of the car park reducing the site entrance from two to one entrance from the northeast corner of the site. Nevertheless, this element of work does not require planning permission.

Overall, the siting and design is considered acceptable and would be in compliance with Saved Policy EC3 of the UDP and Local Plan policies CS2, CS19 and CS11.

HIGHWAYS

The alterations to the car park and the yard area see that overall, 28 car parking spaces, 2 disability spaces and 29 parking spaces for commercial van parking is provided across the site. This would involve the loss of one disability space and the increase of car parking by 17 no. spaces together with the addition of van parking.

The additional compound is located on a hardstanding area to the south of the building. The compound is accessed from a site entrance to the north-east of the unit off an estate road off Alchemy Way. The former access point to the south-west corner of the site is closed off by fencing. 16 vehicle bays are provided within the unit.

The Council's Highways Engineer has advised that the van parking spaces are suitable to accommodate some of the largest van types in the UK (3m width x 7.5m length). Similarly, the tandem parking spaces are suitable to accommodate some of the largest car types in the UK (2.7m width x 5.5m length).

It is further advised that sufficient aisle widths are provided within the yard and the 24 parking bays to the east should be able to accommodate any expected staffing level, as well as visitor parking. The parking therefore meets the demand of the use.

The proposal will not impact unacceptably upon the function and safety of the surrounding highway network and consequently the development complies with Local Plan Policies CS7 and CS19.

AMENITY CONSIDERATIONS

The application relates to an industrial use within a primarily industrial area. There are no residential neighbours, and the closest premises are industrial and commercial in nature. The development does not raise any amenity concerns.

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OTHER ISSUES

Proximity to Hazardous Pipelines and Installations

The application site is in proximity to at least one major accident hazard pipeline as identified on the Health and Safety Executive's (HSE) consultation distances for major hazardous sites.

The application has been assessed using the HSE's automated system and based on the proposed land uses, likely levels of occupancy and the number of storeys per building, the HSE do not advise, on safety grounds, against the granting of planning permission in this case.

Therefore, it is considered that the application would not result in a significant danger to the health and safety of future employees or visitors to the development as a result of proximity to hazardous installations.

Contaminated Land

Saved Policy ENV5 (Contaminated Land) of the UDP seeks to ensure that development does not occur on contaminated sites that could place future occupiers or environs at risk from contaminants and to ensure where possible measures are put in place to ensure any impact is mitigated against.

The Council's Environmental Health Officer has indicated that they are not aware of any contamination on the site and the responsibility to properly address contaminated land issues lies with the owner / developer of the site, irrespective of any involvement with the Local Authority.

Environmental Health Officers request an advisory note informing the applicant of their responsibilities. Although the works have been carried out, it is considered appropriate to include an advisory note as an informative on any planning permission should it be granted.

Noise

The Council's Environmental Health Officer has requested that, for the avoidance of doubt, the noise level of any fixed plant, if installed, is controlled, and this can be secured by condition if planning permission is granted.

There are no conflicts with Saved Policy ENV2 which seeks to ensure that noise generating uses do not impact on surrounding uses.

Construction Management Impacts

The Council's Environmental Health team has requested that if planning permission is granted, the construction operations be controlled. In addition, they have requested that there should be restriction on the hours that construction takes place. The works have been carried out and securing a construction management plan, which amongst other controls, could include the hours of construction, is not necessary in this instance.

CONCLUSION

The application proposes a use that is industrial in character which shares characteristics with B2 and B8 uses and is within a Primary Industrial Area, it is therefore acceptable in principle. The application can be delivered without harm to safety and amenity and there would be no significant impacts on highways, neighbours or the environment. As such the application is recommended for approval.

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.

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Reason: For the avoidance of doubt.

- 2) The areas indicated on Site Plan Drawing Number DC97/30 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.

Reason: To preserve the visual amenities of the locality, having regard to the National Planning Policy Framework (2021) and Policies CS2 and CS19 of the Knowsley Core Strategy: Local Plan, adopted January 2016.

- 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.

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- 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
01/10/2021	DC97/35	-	Site Location Plan
01/10/2021	DC97/30	-	Proposed Site Plan Unit 1 - Planning Application
01/10/2021	DC97/31	-	Proposed Ground Floor Plan Unit 1 - Planning Application
01/10/2021	DC97/33	-	Proposed Elevations Unit 1 - Sheet 1 of 2 - Planning Application
01/10/2021	DC97/36	-	Proposed Wash Bay Plan and Elevations Unit 1 - Planning Application
01/10/2021	DC97/34	-	Proposed Elevations Unit 1 Sheet 2 of 2 - Planning Application
01/10/2021	DC97/32	-	Proposed First Floor Plan Unit 1 - Planning Application

Informatives

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

- 1 The applicant's attention is drawn to the comments of Merseyside Fire and Rescue Authority in their letter dated 25 November 2021 as appended to this decision.

Maxine Wishart

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22 June 2022

Alan Kilroe
1 July 2022

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