

<u>APPLICATION NO:</u>	25/00370/FUL	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Northwood	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	Surface Transforms, 94 Image Business Park, Acornfield Road Knowsley Industrial Park, Kirkby, Knowsley, L33 7UF		
<u>PROPOSAL:</u>	INSTALLATION OF FURNACE BUILDING AND EXTERNAL PIPE BRIDGE AND ASSOCIATED WORKS		

Site Description

The application site is an irregularly shaped piece of land in the south central part of the wider Surface Transforms site. A small part of the site is to the north of the internal access road with the majority of the site to the south of the road. The site is surrounded by other industrial building and forms part of a wider industrial complex which is fenced off to the public and only accessible via security gates to the north west.

Proposal

The proposal is for the erection of a furnace building, external pipe bridge and associated works. The building would be 550sqm in size with a 16.2 m high 22 m metres wide and 25m long.

Consultations

Environmental Health – No objection subject to conditions in relation to contamination, fixed plant noise and a construction management plan. In relation to air quality, this is covered by an Environment Agency permit.

Highways - No objection proposal does not materially impact the public highway or wider network.

Merseyside Fire and Rescue – No Objection subject to informatives.

United Utilities – No Objection subject to informatives.

Representations

This application has been publicised by letters sent to 10 neighbours and by a site notice. No representations have been received.

Planning History

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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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development

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

ENV5 - Contaminated Land
EC3 – Primarily Industrial Area

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.

ISSUES AND ASSESSMENT:

PRINCIPLE OF DEVELOPMENT

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The application site is situated within a Primarily Industrial Area. The building would be a B2 use class consistent with the wider use of the site. Therefore, the development of the site for industrial uses is considered acceptable in principle.

CHARACTER OF AREA

Policy CS19 in the Core Strategy requires new developments to respond to and integrate positive characteristics of immediate surroundings, including local materials, scale, mass, form, layout, alignment and density of the existing built environment.

The proposal would be industrial and functional in character and would not be readily visible from outside the site on any publicly accessible vantage points. There are also other tall industrial building and structures (including 2 tall chimneys nearby). Therefore, the proposal will not cause harm to the character of the area and the proposal complies with Core Strategy Policy CS19.

RESIDENTIAL AMENITY

Policy CS19 in the Core Strategy requires new developments to maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers.

Neighbouring occupiers

The building would be within a central part of the surface transforms site. The closest building outside the site would be the large building to the west, however, this has no windows on its west elevations that faces towards the site. Therefore, there will be no harm from loss of light or outlook. Other neighbouring premises would be located further away and would not be impacted through loss of light or outlook.

Due to the location of the site within an enclosed industrial area inaccessible to the public and away from the highway, a condition to require a construction management plan is considered unnecessary.

Overall, there would be no harm to the amenity of neighbouring premises and the proposal would comply with Local Plan policy CS19.

HIGHWAYS

NPPF para 116 states that a development should only be refused on highways grounds if

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.

The proposal would be located a significant distance from any public highway and would only affect the internal access roads of the industrial site. There would therefore be no harm to highway safety from the proposal. This view is supported by the council’s highways department who have no objection.

OTHER CONSIDERATIONS

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As the site is hardstanding biodiversity net gain does not apply to the proposal.

In relation to air quality, this is covered by the Environment Agency as part of their permitting operations. An Environment Agency permit covers emissions from the site (EPR/WP3439QP/A001). NPPF para 201 states that planning decision should not duplicate other regulatory regimes and should not control emissions where they are subject to separate pollution control systems.

“201. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities”.

CONCLUSION

The development is acceptable in principle and would not cause harm in relation to the character of the area, highway safety, or amenity. The proposed development complies with policies included within the Core Strategy (2016), Knowsley Replacement Unitary Development Plan (saved policies 2009) and National Planning Policy Framework (2019).

RECOMMENDATION:

That planning permission be granted 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) Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

- a. Proposed Site Plan – Rev B - 4529 - P – 103- (Received 02/07/2025)
- b. Elevations – Rev B 4529 - P – 104 - (Received 02/07/2025)
- c. Proposed Smart Space Elevations – Rev B - 4529 - P – 105 - (Received 02/07/2025)
- d. Proposed Floor Plan – Rev 0 - 4529 - P – 106 - (Received 02/07/2025)
- e. Proposed Drainage - Rev G - 4529 - C – 202 - (Received 07/07/2025)
- f. Vacuum Pumps Info - (Received 02/07/2025)
- g. Proposed Site Location Plan - Rev 0 - 4529 - P – 200 (Received 12/06/2025)

Reason: For the avoidance of doubt.

Pre Commencement

- 3) Contaminated Land

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A. Risk Assessment

No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include (where relevant):

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and
 - service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

B. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

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 (or relevant phase of development) being brought into use.

Reason: In order to prevent harm to human health from contamination.

4)

Fixed Plant Noise

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Fixed plant and machinery 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 human health from noise pollution.

Signed Case Officer¹: **Andrew Hunt**

Signed Authorising Officer²: **Alan Kilroe**

Date: **19 August 2025**

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

INFORMATIVES

- 1) Merseyside Fire and Rescue – See Letter
- 2) United Utilities – See Letter

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