

Our ref: EW/AC/Q230156
Your ref: 22/00109/FUL
Email: eve.warwick@quod.com
Date: 6th December 2024



Planning Services
Knowsley Metropolitan Borough Council
Municipal Buildings
Huyton
Knowsley
L36 9UX

Submitted via Planning Portal (PP-13655418)

Dear Sir / Madam,

**Town and Country Planning Act 1990 (as amended)
Section 73 application to vary Condition 2 (Approved Plans), 8 (Drainage) and 11 (Parking Layout) of application ref. 22/00109/FUL (dated 5th May 2023) (as amended) to expand the service yard and car parking at Unit G2 along with elevational amendments, revised landscaping and associated works
Sovereign Distillery, Wilson Road, Huyton, Knowsley, L36 6AD
Application submitted on behalf of Davos Industrial Limited**

We are instructed by our client, Davos Industrial Limited ('the Applicant'), to submit the enclosed Section 73 application to vary Condition 2 (Approved Plans), 8 (Drainage) and 11 (Parking Layout) of planning application reference 22/00109/FUL, dated 5th May 2023 (as amended). Specifically, permission is sought to extend the service yard and car parking to the side and rear of Unit G2 along with revised landscaping at Sovereign Distillery, Huyton, Knowsley, L36 6AD ('the Application Site').

The application has been submitted via the Planning Portal (PP-13655418) and includes the following documents in line with your validation requirements:

- **Requisite application form, duly completed;**
- **Full Decision Notice (ref. 22/00109/FUL, dated 5th May 2023);**
- **NMA Decision Notice (ref. 22/00109/NMA, dated 17th October 2023);**
- **NMA Decision Notice (ref. 22/00109/NMA1, dated 1st February 2024);**
- **S73 Decision Notice (ref. 24/00218/FUL, dated 23rd July 2024);**
- **Landscaping Proposals (ref. 4190 01 Rev H);**
- **Noise Assessment, prepared by Tetra Tech;**
- **Flood Risk Assessment and Drainage Strategy, prepared by Adept;**

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- **Approved and revised planning drawings, prepared by AEW Architects:**

Drawing Reference	Drawing Title	Scale
Approved Plans to be substituted		
10187 1001 P02	Proposed Site Layout	1:500 @ A0
12211-AEW-G2-XX-DR-A-0521 P05	Unit G2 - Proposed GA Floor Plans	1:200 @ A1
12211-AEW-G2-RF-DR-A-0522 P05	Unit G2 – Proposed GA Roof Plan	1:200 @ A1
13546-AEW-BC-XXDR-A-0538-S2-P01	Proposed Unit G2 Elevations	1:200 @ A1
12211-AEW-G2-XX-DR-A-0524 P04	Unit G2 – Proposed GA Sections	1:200 @ A1
Revised Plans		
13546-AEW-G1-XX-DR-A-0570 – P01	Proposed Site Plan	1:500 @ A0
13546-AEW-G1-ZZ-DR-A-0571 – P01	Proposed GA Floor Plans	1:200 @ A1
13546-AEW-G1-RF-DR-A-0572 – P01	Proposed GA Roof Plans	1:200 @ A1
13546-AEW-G1-XX-DR-A-0573 – P01	Proposed GA Elevations	1:200 @ A1
13546-AEW-G1-XX-DR-A-0574 – P01	Proposed GA Sections	1:200 @ A1

A payment of £293 has been made via the Planning Portal to cover the requisite planning application fee.

1 Background

Planning permission was originally granted on 5th May 2023 for the redevelopment of the Application Site to form 9no. industrial units (ref. 22/00109/FUL) on 4.47 hectares of land off Wilson Road. Specifically, planning permission was granted for the following development:

“Demolition of buildings and the erection of 2no. industrial units together with the part demolition demolition/part extension and remodelling of existing industrial building to form 7 no. Units (Use



Classes E (g)(ii) (iii), B2 and B8) with ancillary office space. Reconfiguration of car parking including service and vehicular circulation areas, landscaping, infrastructure works and other associated works.”

The permission was subject to 18no. conditions. A copy of the decision notice is enclosed for reference.

Following this approval, an application for a non-material amendment (ref. 22/00109/NMA) was approved on 17th October 2023. This permitted changes to reduce the floorspace of Unit C by 683 square metres and reduce the number of parking spaces by 14.

An application for a second non-material amendment (ref. 22/00109/NMA1) was approved on 1st February 2024. This permitted changes to the elevations of Unit C, F, G1 and G2.

More recently, a S73 application (ref. 24/00218/FUL) sought changes to Unit C which included the installation of two sprinkler tanks together with a pump house and compressor room within the service yard of Unit C as well as a canopy to the same unit. This was approved on 23rd July 2024. Please note that this permission updated the condition numbers and it is the numbers within this permission that are referred to throughout this application.

Negotiations are now well-advanced with an occupier for Unit G2. A process of detailed design has been undertaken and the operator's requirements set out, which includes additional yard space and car parking to the rear of the unit along with minor amendments to the rear elevation. The deal with the incoming occupier is subject to planning.

Following discussions with Officers at Knowsley Metropolitan Borough Council (KMBC), it was felt that the proposed changes constituted minor material amendments which has resulted in this S73 planning application.

The application is advanced on this basis.

2 Proposed Minor Amendments

This application seeks to vary the approved site layout by making minor amendments to the plans approved under planning permission ref. 22/00109/FUL, dated 5th May 2023, as varied by 24/00218/FUL. This will result in the variation of the following three conditions:

- Condition 2 (Approved Plans)
- Condition 8 (Drainage)
- Condition 11 (Parking Layout)

For Conditions 2 and 11 the drawing reference of the approved layout will need to be updated and the relevant Drainage Strategy acknowledged within Condition 8.



The changes sought under this application are modest, seeking to extend the existing service yard and car parking areas to the side and rear of Unit G2 to meet the requirements of an identified occupier. Further amendments are proposed to the rear (north) elevation of the unit to relocate the fire exit door and add in a larger operational door. The material around the docking bays on the southern elevation is also amended. These changes will result in a reconfiguration of the landscaping and the amended landscaping can be viewed on the enclosed Landscaping Proposals (ref. 4190 01 Rev H).

The changes sought as summarised as follows:

- Car parking area and servicing yard extended to side and rear of Unit G2 to form a total number of 59 spaces (increased from 36), including 2 accessible spaces and 2 EV spaces
- Soft landscaping to be adapted to reflect new layout
- Infill dock loading ramp to form level area adjacent to service yard area
- New operational door to rear (north) elevation
- Relocation of fire escape door on rear (north) elevation
- Amendment to material around 2no operational doors on front (south) elevation

This represents the extent of the changes sought by this application.

3 Planning Considerations

Principle of Development

The scheme approved under planning application ref. 22/00109/FUL has come forward speculatively and therefore it was likely that amendments would need to be made post approval. The enclosed application for minor material amendments is necessary and is being brought forward to ensure the needs of a specific occupier are met in full. The deal is subject to planning so in the event that the amendments were not approved, the occupier would fall away.

Due the operation of the incoming occupier additional operational areas, loading and yard space is required along with additional car parking for their fleet of vehicles. Without these, Unit G2 and it's yard and car parking do not meet the needs of the intended occupier.

The Application Site has a long history as an industrial site and will continue its contribution to the local economy following the recent approval for the redevelopment of the site for industrial uses. The extension of the yard and parking areas remain within the allocated Primarily Industrial Area within the Knowsley Local Plan which supports Classes E, B2 and B8.

This application should therefore raise no matters of principle.

Amenity



Whilst residential housing is situated to the west there is already a notable separation with the residential housing setback from the boundary. This will continue to be respected and the soft landscaping buffer within the Application Site and notable tree line will be retained in full. The soft landscaping is clearly illustrated on Landscaping Proposals (ref. 4190 01 Rev H) drawing which accompanies the submission.

Whilst there is a minor increase in hardstanding, there is no additional massing or floorspace proposed and therefore in visual terms there would be no greater impact on the adjacent residential dwellings to the west. The application results in no increased harm in terms of visual amenity.

In regards to noise, the application is supported by a Noise Assessment. Firstly, it should be noted that the noise levels are not expected to change significantly and will continue to fall within the No Observed Adverse Effect Level. A 2 metre acoustic fence is proposed to further mitigate the impacts of the proposals near R03 at the western boundary. This ensures that the daytime and night-time periods are predicted to be below the guideline noise intrusion criteria at nearby properties assuming both a windows-open and a windows-closed scenario.

The application is therefore acceptable on amenity grounds.

Flooding

This S73 application, for completeness, is supported by a Flood Risk Assessment and updated Drainage Strategy given the minor increase in hardstanding at the site. This outlines how the area will be drained and provides comfort that there will be no increased in flooding either at the Application Site or elsewhere.

Whilst Condition 8 has been discharged under application ref. 22/00109/DISCON, we request the condition is varied to a compliance condition and references the updated Drainage Strategy. Please note that this was previously referred to as Condition 9 prior to the grant of 24/00218/FUL.

Summary

In terms of the minor material amendments, the proposed extension of the yard and car parking sit comfortably within the established context of the site and at a low level, i.e. there is no construction of floorspace or increased massing. These elements are operational requirements and are unlikely to be visible beyond the premises itself due to a notable tree lined boundary and fencing. Overall, the amendments proposed have arisen as a result of operational requirements, led by the prospective tenant. The proposals go to the very heart of Paragraph 85 of the NPPF by taking into account local business needs and supporting economic growth on a well-established allocated industrial estate.

4 Conclusion



We are instructed by our client, Davos Industrial Limited ('the Applicant'), to submit the enclosed Section 73 application to vary planning consent ref. 22/00109/FUL (as amended). The changes are necessary, required for operational purposes for the prospective occupier, and are subject to planning.

We trust the enclosed is sufficient for you to register this planning application, and we look forward to receiving confirmation in due course. If you require any additional information, please do not hesitate to contact me.

Yours faithfully,

Adam Cornish
Associate Director