

Regeneration and Economic Development Department

APPLICATION NO: 22/00458/FUL

APPLICANT: Jaguar Land Rover

WARD AFFECTED: Halewood South

DEVELOPMENT: ERECTION OF 1 NO. INDUSTRIAL BUILDING (USE CLASS B2/B8) INCLUDING ASSOCIATED AMENITY FACILITIES AND MULTIPLE CONNECTION LINKS WITH EXISTING MANUFACTURING UNIT TOGETHER WITH OTHER ASSOCIATED WORKS

LOCATION OF SITE: Jaguar Land Rover, North Road, Halewood, Knowsley, L24 9LE

Site Description

The Jaguar Land Rover Halewood operation is a well-established motor vehicle manufacturing facility located in the south of Knowsley. The site lies within a designated industrial area under Saved Policy EC3 of the Knowsley Replacement Unitary Development Plan. The Local Plan Core Strategy further supports the site's employment status through Policy CS4, which directly supports the principle of new development.

The closest residential properties are on Clough Road, approximately 108m south of the site. The properties are separated from the site by Speke Boulevard and significant landscape buffers.

The site was previously occupied by a temporary tented structure (since 2017), approved under planning application reference 16/00452/FUL. The temporary structure was removed in 2021, leaving the site cleared.

Proposal

This application seeks full planning permission for the erection of 1 industrial building (Use Class B2/B8) including associated amenity facilities and multiple connection links with existing manufacturing units together with other associated works.

The building would be over two floors and be 179.5m long, with a width of 96.5m and a ridge height of 19.98m. In comparison, the earlier temporary tent structure had a length of 179.5m, width of 96.5m and a ridge height of 12.3m.

The building would consist of:

- Ground floor B2/B8 floorspace: 15,997sq.m
- First floor B2/B8 floorspace: 15,997sq.m
- Ancillary areas (staff canteen amenity area/toilets):298.6sq.m
- Plant room floorspace:71.7sq.m

Car parking provision would be unaffected by the proposal. No additional spaces are proposed; nor are any lost. The wider site's internal road (South Road) would be unaffected.

Consultations

Halewood Town Council: No comments received

Merseyside Fire and Rescue Authority: No objection.

Environmental Health (Knowsley Council): No objection, subject to the imposition of conditions regarding contaminated land and restricting the hours of construction.

Cadent Gas Limited: No objections.

Local Highway Authority (Knowsley Council): No objection, no planning conditions recommended.

LLFA/Drainage (Knowsley Council): No objection, no planning conditions recommended.

Merseyside Environmental Advisory Service: No objection, subject to planning conditions for the following: bird clearance; the provision of bird boxes and a compliance condition regarding lighting.

FUSION 21: No objection, subject to a S106 commuted sum towards the monitoring of the Social Value Strategy - £20,187.

United Utilities Water Ltd: No objection subject to a planning condition requiring further details of the proposed surface water drainage scheme and the foul water drainage scheme and a second condition requiring details of the management and maintenance of the drainage system.

Representations

This application was publicised by letters sent to 21 neighbours. It was also advertised by the display of five site notices and a notice in the local press. No representations have been received as a result of the publicity given to the application.

Planning History

None relevant.

Policy

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 ALLOCATION:

Primary Industrial Area

KNOWSLEY LOCAL PLAN CORE STRATEGY (JANUARY 2016)

SD1 – Sustainable Development
CS1 - Spatial Strategy for Knowsley
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
CS21 – Greenspace and Trees
CS22 – Sustainable and Low Carbon Development
CS23 – Renewable and Low Carbon Infrastructure
CS24 - Managing Flood Risk
CS26 – Waste Management
CS27 - Planning and Paying for New Infrastructure

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

EC3 - Primarily Industrial Areas
T8 - Transport Assessments
T9 - Travel Plans
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV5 - Contaminated Land

SUPPLEMENTARY PLANING DOCUMENTS

Development Contributions
Ensuring a Choice of Travel
Adding Social Value to Development
Design Quality in New Development

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

Principle of the development

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 proposal for a B2/B8 building fully accords with the site's allocation within a primarily industrial area. The site is within a designated primary industrial area under saved Policy E3, which states that the Council will support the delivery and retention of B1, B2 and B8 uses. The proposal is also in accordance with Core Strategy policies CS2 and CS4 which supports the principle of new development.

To allow the building would secure the future of the operations of Jaguar Land Rover within the Borough and the associated jobs it provides (Jaguar Land Rover employs approximately 3,700 staff directly, with approximately 1,200 staff local to Knowsley).

Design and layout

Whilst the size and scale of the building is large, as stated earlier, it is within a primary industrial area. The nearest residential properties lie approximately 108m to the south of the site and across Speke Boulevard. No residential properties would be adversely affected by the siting of this building.

The design of the proposed building is what would be expected in an established industrial area.

The materials to be used in the construction of the building are specified on the plan (Drawing No. 0900 Rev D submitted 02/12/2022) and include:

- Walls - Kingspan cladding in RAL 7005 or 10-A-05 Goosewing Grey
- Roof – Kingspan cladding in RAL 7005 or 10-A-05 Goosewing Grey • Windows – aluminium double glazed units in RAL 7016 Anthracite Grey
- Doors – Steel security in RAL 7016.

Site levels were submitted during the consideration of the applicant and would remain largely unchanged.

Overall, the scheme would comply with Local Plan Core Strategy Policy CS19, which seeks to ensure all new development responds to and integrates positive characteristics of immediate surroundings.

Highways:

The Local Highway Authority has no objection to the proposed development. The development is not considered to have a detrimental impact on the highway network as it replaces a temporary facility which operated without issues regarding, the local highway network or parking.

The site is large enough to accommodate any increased parking demand, and any increase in vehicle movements associated with the development is likely to be negligible.

The Local Highway Authority has no objection to the Construction Phase Plan's inclusion as an 'approved document'.

Policy CS19, which seeks to ensure that new development integrates effectively with existing development and Saved Policy EC3, which expects new development to be complimentary to and compatible with surrounding employment uses.

Noise:

Environmental Health have reviewed the noise information submitted with the planning application. From the information submitted, they consider that a noise assessment is not required, or the imposition of a fixed plant condition, as there will be no external plant. The design of the building and the activities that would take place within it would not, it is considered, have a detrimental impact on the nearby residents.

Jaguar Land Rover have confirmed that:

- No external plant and equipment would be installed;
- No intensification of existing noise sources, e.g., HGV's, car parking;
- No unattenuated openings from the internal plant room, and;
- Two extending goods lifts are proposed but would be used infrequently.

The nearest residential properties are on Clough Road, at a minimum of 108m south of the proposed building. Speke Boulevard runs between Jaguar Land Rover's site and the properties on Clough Road. The building is not expected to introduce new noise sources with the exception of the plant room extract and the external goods lift. The plant room is sited to the north of the building and would be approximately 210m from the nearest residential property on Clough Road.

The applicant submitted a Construction Management Plan (CMP) during the course of the planning application. Environmental Health have reviewed the documents in relation to the above planning application and confirm that they are acceptable. The CMP would be made an approved document should planning permission be granted.

Overall, the scheme would comply with Saved Policy ENV2, which seeks to ensure that development that would cause an unacceptable increase in noise or vibration are not permitted.

Contaminated Land:

Saved Policy ENV5 of the Knowsley UDP seeks to ensure that development does not occur on contaminated sites that could place future occupiers at risk from contaminants within the ground.

Merseyside Environmental Advisory Service (MEAS) have been consulted on behalf of Environmental Health on the applicant's report submitted in respect of this planning application and contaminated land.

The ground gas monitoring data and subsequent risk assessment demonstrate that no gas protection measures are required. The information is satisfactory to Environmental Health. It is recommended that a 'watching brief' is carried out during groundworks and if any contamination is identified, the Local Planning Authority should be contacted immediately. This can be ensured by a planning condition, which is recommended.

The proposed Site Plan does not indicate that soft landscaping is to be incorporated into the development. However, if landscaping is introduced then it will need demonstrating that any imported material used in these areas is suitable. The proposed planning conditions address this requirement.

Drainage and flood risk:

The drainage layout and flood risk assessment were considered by the Council's drainage engineer. The site is within an area of low risk from flooding ('Flood Zone 1').

During the course of the application, the Local Lead Flood Authority (LLFA) requested further information. In response, a Drainage Technical Note was submitted. The Technical Note provided satisfactory responses and the LLFA confirmed the acceptability of the proposed drainage design.

United Utilities (UU) have requested the imposition of two planning conditions should planning permission be granted. The LLFA confirmed that the two conditions that the UU have asked for have already been satisfactorily addressed. Therefore, the two conditions as requested by UU will not be included on the decision notice should planning permission be granted.

It is considered that the surface water drainage proposals for the site are acceptable in principle and comply with Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy.

Energy Efficiency:

All new buildings constructed in England must meet the minimum requirements of the UK Building Regulations. Specifically, with regards to energy and carbon compliance, all buildings must meet the building regulations Part L 'Target Emission Rate' (TER) requirements for the Part L revision which is current at the time of initial construction works.

The development has been designed to achieve optimum energy performance and will incorporate the following design features:

- Exceeding the minimum fabric requirements of Part L1A (2013) of the Building Regulations
- The development will include 100% low energy lighting;
- The development will be mechanically ventilated;
- 1440sq.m of photovoltaic panels will be installed on the roof.

Ecology:

Policy CS8 of the Local Plan Core Strategy, at various points, aims to ensure that new development protects and enhances biodiversity, including the protection of designated sites, priority habitats and protected and endangered species.

The application is supported by a Preliminary Ecological Appraisal (PEA) (WSP, June 2022, 70091479-EC-001) in line with Knowsley Local Plan Core Strategy policy CS8. Merseyside Environmental Advisory Service have assessed the report and found the report to be acceptable.

The site was found to comprise almost entirely of hardstanding and no significant ecological constraints were found to be present.

Within section 4.6 of the PEA report, Table 6 makes recommendations regarding the avoidance of destruction and disturbance to active birds' nests during site clearance and construction. MEAS have advised that the implementation of these recommendations should be secured by planning condition (bird check of roof tops). The site has already been cleared, ready for construction - should planning permission be granted - and there are no trees/vegetation in the immediate area. It is, therefore, considered unnecessary to impose such a condition although a condition is recommended to secure the provision of bird boxes.

MEAS have advised that habitats adjacent to the site may provide foraging and commuting habitat for bats. Lighting for the development may affect the use of these areas. As recommended within the submitted PEA report, a lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the adjacent habitats, in line with NPPF (paragraph 180). During the consideration of the application, the applicant submitted a lighting scheme. This is accepted by MEAS and should planning permission be granted, a condition requesting compliance is recommended.

Social Value:

Given that the floorspace of the proposed development exceeds 1,000 sqm, a 'Social Value Strategy'(SVS) is required. The SVS was submitted during the consideration of the application and is accepted by Fusion 21 – the Council's partner in delivering and monitoring Social Value.

A financial contribution of £20,187 is to be secured for the implementation and monitoring of the strategy. This would be secured by way of a S106/unilateral undertaking legal agreement, if planning permission is granted, which the applicant has agreed to.

The development proposal accords with the Social Value SPD.

Conclusion

The proposal is acceptable in terms of design, layout, highway safety, drainage, trees and ecology. The proposal complies with the Local Plan policies and Saved UDP policies listed above.

RECOMMENDATION:

Grant planning permission subject to the following conditions and the completion of a S106 Agreement/Unilateral Undertaking:

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. 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.

3. 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 the interests of safety, to prevent pollution of the water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Saturday, and not at all on Sundays/Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

6. As stated within the Energy Statement, within six months of the first use of the building the 2800sq.m PV's shall be installed and fully operational.

Reason: To comply with development policies CS22 and CS23 of the Knowsley Local Plan: Core Strategy (January 2016).

7. Within six months of the date of this decision notice, details of the number and location of bird nesting boxes and bat boxes to be incorporated into the scheme submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be installed in accordance with the approved details prior to the first occupation of the building and shall be retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

8. Any external lighting scheme implemented shall only be in accordance with the lighting scheme (reference REALTA) submitted on 2nd December 2022.

Reason: To ensure the protection of bats and their habitats from excessive light spillage to ensure compliance with Policy CS8 in the Knowsley Local Plan Core Strategy adopted 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28/07/2022	70091479-EC-001	1	PRELIMINARY ECOLOGICAL APPRAISAL (JUNE 2022)
28/07/2022	700000		ENERGY STATEMENT (JUNE 2022)
28/07/2022	70091479		SUSTAINABILITY STATEMENT (JUNE 2022)

28/07/2022	70091479-TS		TRANSPORT STATEMENT
28/11/2022	JLR-RDG-00-ZZC-003	1	DRAINAGE REPORT
17/11/2022	70091479	3	SOCIAL VALUE STRATEGY
25/11/2022	---	2	CONSTRUCTION PHASE PLAN
06/09/2022	5018966-RDGXX-00-PL-A0100	REV F	PROPOSED GROUND FLOOR PLAN
02/12/2022	5018966-RDGZZ-XX-EL-A0900	REV D	PROPOSED ELEVATIONS
06/09/2022	5018966-RDGXX-01-PL-A0101	REV E	PROPOSED FIRST FLOOR PLAN
06/09/2022	5018966-RDGXX-RF-PL-A0102	REV D	PROPOSED ROOF PLAN
16/09/2022	5018966-RDGXX-ST-PL-A0001	REV E	LOCATION PLAN
25/10/2022	HSA-RDG-XX-ST-DR-A-0002	REV P03	PROPOSED SITE BLOCK PLAN
16/09/2022	5018966-RDGXX-ST-PL-A0005	REV D	PROPOSED SITE PLAN
25/10/2022	HSA-RDG-ZZ-ST-DR-A-0003	REV P03	EXISTING SITE PLAN
25/10/2022	5018966-RDG-ZZ-ST-A-0004	REV G	EXISTING SITE SECTIONS
25/10/2022	5018966-RDG-ZZ-ST-A-0006	REV G	PROPOSED SITE SECTIONS
30/11/2022	HSA-RDG-XX-XX-DR-C-0300	Rev P03	PROPOSED EXTERNAL WORKS
02/12/2022	REALTA		LIGHTING SPECIFICATION

Informatives

1. Article 35
2. Cadent Gas response
3. UU response
4. Merseyside Fire and Rescue Service

Site Photographs



Jo Sheridan

6 December 2022

9 December 2022