



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 21/00622/FUL

Name and address of applicant

ORBIT INVESTMENTS (PROPERTIES)
LIMITED
EMERSON HOUSE
HEYES LANE
ALDERLEY EDGE
SK9 7LF

Name and address of agent

THE EMERSON GROUP
EMERSON HOUSE
HEYES LANE
ALDERLEY EDGE
SK9 7LF

Date of Receipt: 2 August 2021

Date Valid: 2 August 2021

Address/Location Of Development:

**Building Two (Phase Two)
Academy Business Park
Lees Road
Knowsley Industrial Park
Kirkby
Knowsley
L33 7SA**

Description of Development:

**CONSTRUCTION OF NEW VEHICULAR ACCESS ONTO ARBOUR LANE
TOGETHER WITH THE CREATION OF HARDSTANDING TO FORM 233 NO.
SPACE CAR PARK**

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 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. The Phase 2 Unit shall not be brought into use until the areas indicated on the submitted plan 389-PL-2002-B to be set aside for parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. For the avoidance of doubt a use falling in Class B8 use shall require the 103 car parking spaces be laid out to the west of the Phase 2 Unit; for Class B2 or B1c use the further 130 car park spaces to the south and south east of the Phase 2 Unit (in addition to the aforementioned 103 spaces) shall be provided before that use is brought into use, and including an increase of 10 disabled persons car parking spaces which shall be accommodated in the car park area to the west of the unit, necessitating a reduction in car parking spaces to this area to accommodate the additional disabled persons parking. The disabled persons spaces should have a transfer zone to the rear as well as to the side. A further 20 secured and covered cycle parking spaces above the scheme agreed pursuant to Condition 8 of this planning permission, will be required in such event, in accordance with details previously submitted to and agreed in writing by the Local Planning Authority. The parking area, including the additional disabled persons parking and cycle parking, if required and implemented, shall be retained for such purposes at all times thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policies CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

4. Prior to the occupation of the Phase 2 Unit if such use falls within a B8 Use, a scheme for the landscaping, including boundary treatment detail, of the area to the south and south east of the Phase 2 Unit identified as B1(c) and B2 use parking on the Site Plan as Proposed drawing referenced 389-PL-2002-B, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed works shall be implemented in accordance with a timetable submitted as part of the agreed scheme.

Reason: In the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

5. Prior to first occupation landscape maintenance details for the landscaping along the western boundary of the site as shown on the Planting Proposals drawing referenced 18-005 shall be submitted to and agreed in writing by the Local Planning Authority. The planting scheme as shown on Dwg No 18-005 shall be implemented in the first available planting season following substantial completion of the Phase 2 Unit.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

6. No part of the development shall be brought into use until visibility splays of 2.4m metres by 90m metres, have been provided at the proposed site access junction with Arbour Lane. The splays shall be provided clear of obstructions to visibility to a maximum height of 0.6 metres above footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times that the access is in use.

Reason: To ensure adequate visibility at the junction or site access is made and maintained in the interests of highway safety and to comply with Policies CS7 and CS19 of the Knowsley Local Plan: Core Strategy adopted January 2016.

7. The Phase 2 Building shall not be occupied until the car parking area(s) has/have been provided with outdoor, weatherproof electric vehicle charging points (EVCP) readily accessible from a dedicated parking spaces in accordance with a scheme showing the number of EVCP and their location within the car park area(s).

All chargepoints shall be:

- a) a minimum of 7KW;
- b) at least Mode 3 or equivalent;
- c) untethered; and
- d) located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

All EV charging points shall be clearly marked as such and their purpose explained to new employees within the induction process.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and NPPF Paragraph 110.

8. Notwithstanding submitted details prior to the first use of the Phase 2 Unit bicycle and motorcycle parking scheme to meet with the Council's current standards shall be provided in accordance with a scheme previously submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt staff bicycle parking should be covered and secure, with motorcycle parking secure.

Reason: To ensure that adequate provision is made for bicycle and motorcycle parking within the site in the interests of sustainable transport and to comply with Policy CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016.

9. Prior to the erection of the fencing and gates hereby approved they shall be powder coated to match the existing boundary fencing of the Academy Business Park site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and saved Policy EC3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
02/08/2021	389-PL-200-A	-	LOCATION PLAN
02/08/2021	389-PL-2002-B	-	SITE PLAN AS PROPOSED
02/08/2021	389-PL-2003-C	-	SITE PLAN AS PROPOSED (PART)
02/08/2021	389-PL-2004	-	PALISADE GATES AND FENCING DETAIL
02/08/2021	18-005	-	PLANTING PROPOSALS

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: -

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

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

DQ4 - Trees and Development

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 (Lee Osborne on 0151 443 2395)

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.

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

Highways S278 Agreement

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. The grant of planning permission will require the developer to enter into an agreement under S278 of the Highways Act 1980 with the Council. The applicant is advised to contact SiteDevelopment@knowsley.gov.uk to discuss the matter further.

Prevention of Surface Runoff to Highway

Unless otherwise agreed in writing by the Council as Local Planning Authority, in accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains on to any Adopted Highway.

New Street Lighting and Signing

The relocation of existing street nameplates and lighting columns onto the adopted highway would need to be funded by the developer and dealt with as part of the S38/S278 highway agreement. All new street lighting and signing to be installed on the existing public highway or highway proposed for adoption will be subject to a commuted sum to cover its future maintenance as part of the Council's Street Lighting and Signing PFI Contract. The relocation of existing street lighting columns will need to be undertaken/agreed by the Street Lighting and Signing PFI Contract Service Provider. The applicant is advised contact Knowsley MBC Street Lighting Manager Sarah Vose- sarah.vose@knowsley.gov.uk.



Executive Director - Regeneration and Economic Development

Date: 9 November 2021

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.