

Regeneration and Economic Development Department

APPLICATION NO: 21/00622/FUL
(PROPERTIES) LIMITED

APPLICANT: ORBIT INVESTMENTS

WARD AFFECTED: Northwood

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

LOCATION OF SITE: Building Two (Phase Two), Academy Business Park, Lees Road, Knowsley
Industrial Park, Kirkby, Knowsley, L33 7SA,

KNOWSLEY LOCAL PLAN ALLOCATION –

Land for Employment development

Primary Industrial Area

RELEVANT POLICIES

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

TECHNICAL CONSULTATIONS:

Highway Authority (Knowsley Council) - No objections in principle.

Arboricultural Officer (Knowsley Council) – No objections in principle.

NEIGHBOUR NOTIFICATION:

This application was publicised by letters sent to 64 neighbours and 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

95/00399/APP - Erection of 2.4m high palisade security fencing and gates. Granted - August 1995.

03/00261/FUL - erection of 41,805 sq.m unit for commercial development (B1, B2, B8 Use). Granted - May 2003.

08/00151/FUL - Renewal of planning permission 03/00261/FUL for erection of 41.805 sq.m unit for commercial development (B1, B2, B8 Use). - June 2008.

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11/00245/DEMCON - Demolition of units 2, 5A, 5B and 6 together with the associated loading bay and covered roadway. Granted - July 2011.

13/00095/FUL - Alterations to all external elevations to include two roller shutter doors to north, new entrance door to south and alterations to cladding. Granted - April 2013.

14/00787/FUL - demolition of units 3, 4, 5A/5B, 6, 8 and loading bay and erection of two industrial units comprising one Use Class B8 unit and one Use Class B1(c)/B2/B8 unit with ancillary offices together with access, car parking, landscaping and associated works. Granted - January 2015.

15/00819/FUL - Application to vary conditions 2, 4 and 5 attached to planning permission

14/00787/FUL to allow vehicular access of Arbour Lane to be included in Phase 1 and internal road to front of Unit 2 to be included in Phase 2, alterations to car parking, revised HGV loading bays and dock levellers, revised landscaping scheme, proposed impermeable screen along northern boundary of site, alterations to and increase in height of roofs of units, additional glazing and revised cladding. granted - April 2016.

15/00822/FUL - Construction of new vehicular access and gates onto Arbour Lane (to serve staff car park fronting Unit 1 (Phase 1) of Academy Business Park redevelopment approved under application 14/00787/FUL) together with erection of pedestrian gate and dropped kerb crossing point. Granted - March 2016.

15/00819/NMA - Non-material amendment to vary conditions 2, 4 and 5 attached to planning permission 14/00787/FUL (three additional fire exit doors, one each to the front and both side elevations) and enlargement of two dock levellers to rear elevation). Granted - December 2017.

18/00266/FUL - Construction of new vehicular access and gates onto Arbour Lane to serve Building 2 (Phase 2) of the Academy Business Park redevelopment together with the erection of a pedestrian gate and associated works. Granted - July 2018.

PROPOSAL

An application to create a new access onto Arbour Lane and car parking to serve "Building 2" was previously approved on 10 July 2018 (18/00266/FUL). The planning permission expired 9 July 2018 and, therefore, this current application has been submitted as the previous consent was never implemented.

The application is for the construction of a new vehicular access/egress and gates off Arbour Lane, and parking to serve Building 2 of Phase 2 the Academy Business Park redevelopment. The application relates to a scheme previously granted planning permission for the demolition of units, and the erection of two industrial units, comprising one Use Class B8 Unit and one Use Class B1(c) / B2 / B8 unit with ancillary offices plus car parking, access, landscaping and associated works (14/00787/FUL). The current application is to serve the second unit of the re-development forming Phase 2 (the Use Class B1(c)/B2/B8 building), the Phase 1 unit has been erected and access/egress implemented.

The access would be 7.2m wide which would facilitate a two-way flow. The proposed vehicle access gates would be set back between approximately 11 and 12m from the edge of the carriageway. 103 parking spaces would be provided with a further 130 spaces to the side and rear if the use was to be the old B1(c) and which is now Class E (g)(iii) or Use Class B2. Landscaping is proposed between the parking to the front of the Phase 2 unit and Arbour Lane.

There is a current planning application relating to the redevelopment of Academy Business Park; the application is for a petrol filling station (PFS) and drive-through restaurant (18/00269/FUL), which have previously been approved on the site of the Phase 2 unit. The PFS construction is due to start, and the Costa Coffee drive-thru has been constructed. The access application for the Phase 2 building unit will allow the traffic for the unit including delivery and service vehicles to be separated from the public traffic going to the PFS and drive-through.

POLICY CONSIDERATIONS

The application complies with the above noted planning policies.

DESIGN, ACCESS AND CRIME PREVENTION

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The proposal is for an access / egress off Arbour Lane. The site currently has palisade fencing along the boundary and Phase 1 has palisade fencing to the boundary, and therefore the proposed palisade fencing and gates to the access, whilst not usually supported would fit in with the existing fencing and would not visually detrimental. The landscape scheme will benefit the visual amenity of the locality.

HIGHWAYS

The proposed width of access is acceptable to facilitate two- way traffic flows into and out of the car park, whilst the proposed set back of the vehicle access gates of 11-12m would allow vehicles to stand clear of the highway. The proposal is acceptable in highways safety terms and the Council Highways Engineer has no objections to the proposal in principle.

RESIDENTIAL AMENITY

The cottage at 40 Arbour Lane has effectively been incorporated into the adjoining concrete and waste transfer company site, whilst 90 Arbour Lane is more than 400m from the proposed access. The nearest residential area is Delfby Crescent on the opposite side of County Road.

Residential amenity impact was considered in the assessment of the previous application for the redevelopment of the site (14/00787/FUL) and the current proposal would not cause any greater impact on residential amenity.

CONCLUSION

The proposal is a re-submission of a previous approval and would benefit highway safety and facilitate the Phase 2 development of the Academy Business Park, by maintaining a separation between the Phase 2 Unit traffic including delivery and service vehicles, and the public transport visiting the proposed PFS and drive-through, the subject of a current planning application and by the provision of satisfactory parking. The proposal is acceptable in terms of highways safety and visual amenity and complies with relevant planning policies.

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) 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

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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 7 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 charge points 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.

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- 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

Informatives

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

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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.

Lee Osborne

5 November 2021



8 November 2021

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