
<u>APPLICATION NO:</u>	22/00109/FUL	<u>CASE OFFICER:</u>	Mark Quinn
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	Tarbock Parish Council
<u>LOCATION:</u>	The Sovereign Distillery, Halewood Wines And Spirits - Factory Outlet , Wilson Road, Huyton		
<u>PROPOSAL:</u>	DEMOLITION OF BUILDINGS AND THE ERECTION OF 2 NO. INDUSTRIAL UNITS TOGETHER WITH THE PART 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.		

Site Description

The site is located on the Huyton Business Park on the western side of Wilson Road, Huyton. The site covers an area of 9.54 hectares. The application site is occupied by the former Sovereign Distillery which was the former headquarters of Halewood Artisanal Spirits PLC. The distillery company has now re-located the majority of its operations to Chorley. The site comprises existing industrial buildings, areas of hardstanding and an area of vacant land in the north west corner of the site.

The site is bounded by existing industrial and commercial development to the north, east and south of the site (land to the south is also owned by the applicant but falls outside of this application) and by existing residential development to the west.

Proposal

It is proposed to demolish two existing buildings and a canopy. (prior approval has previously been granted for the demolition of the buildings ref 22/00347/DEMCON).

Two new industrial units are proposed towards the north of the site and the existing industrial building in the centre and to the south of the site would be remodelled and refurbished to provide 7 units to be used within use classes E (G) (ii) – the research and development of products or processes & (iii)- any industrial process B2 (general industry) and B8 (storage and distribution).

The proposal also comprises the re-configuration of car parking including service and vehicle circulation areas.

Consultations

Tarbock Parish Council - No Comments Received

Highway Authority - No objections subject to planning conditions covering parking, restricting Use Class E and cycle/motorcycle storage.

Merseyside Environmental Advisory Service - No objections in principle

The Coal Authority - No objections in principle

Arboricultural Officer - No objections subject to replacement tree mitigation.

United Utilities Water Ltd - No objections subject to planning conditions to protect the existing water mains during development and a surface and foul water drainage scheme.

Merseyside Fire And Rescue Authority - No objections in principle.

Public Health - Health Improvement And Health Protection - No objections in principle subject to suggested amendments.

FUSION 21 – Social value strategy acceptable subject to financial contribution towards implementation and monitoring.

Cadent Gas Limited – No objections

Environmental Health – Raise concerns on air quality due to potential exceedances in Nitrogen Dioxide.

LLFA/Drainage - No objections in principle subject to a detailed drainage strategy & management and maintenance plan.

Highways England - No objections

Representations

This application has been publicised by letters sent to 91 neighbours. It has also been advertised by Site Notice and a Press Notice.

There have been 2 letters of objection, and 1 letter providing a comment. The representations are summarised as follows:-

1. Concerned about noise with it being 24 hour operation and air pollution.
2. Impact on local residents due to increased noise from HGV traffic on Cronton Road.
3. The area is already being monitored for Air Quality at the junction of Cronton Road and Whitefield Lane. Concern about increases in air quality leading to health problems.
4. Need further information about the nature of the businesses proposed, concern about property values, will the existing fence will be renewed and measures to be put in place for rat infestation.

Relevant Planning History

22/00347/DEMCON – Prior notification for the demolition of buildings and structures. Prior approval granted September 2022.

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
- CS24 - Managing Flood Risk
- 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
- National Planning Policy Framework

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 Development

The application site is allocated as a primarily industrial area on the Knowsley Local Plan Policies Map. The proposal for the redevelopment of the former distillery for a flexible use of classes E, B2 and B8 is considered to be acceptable and would be in accordance with Local Plan policy CS4 and saved UDP policy EC3.

Design & Layout

Two new industrial/commercial units (units G1 & G2) are proposed to the north of the site which would be served by their own access point off Wilson Road. The existing building (unit F) towards the centre of the site would be divided into 6 individual units with their own car parking to the front would be served from a separate access off Wilson Road.

The largest building on site (Unit C) is located towards the south of the site. HGV's to this building would use the same access as for units F however car access would be from a separate access point to the south which would provide more convenient access to the car parking area allocated to this unit.

All of the units (existing and proposed) would use a similar pallet of materials with 3 colours of cladding for the main walls with aluminium framed windows finished in dark grey. The design of the internal layout would ensure that all buildings have an acceptable level of fenestration facing towards Wilson Road.

Overall the design and layout are considered acceptable & the materials are appropriate for the location of the development. The proposal would therefore comply with Local Plan policy CS19 – Design Quality and Accessibility in New Development.

Residential Amenity

Units F and C are already on site so in visual terms there would be no greater impact on the adjacent residential dwellings to the west. In fact as the existing building currently located in between units F and C would be demolished this would reduce the massing of the buildings towards the south of the site when viewed from the adjacent dwellings.

The proposed unit G2 would be sited 26.6m from the western site boundary. The closest dwelling (gable wall) would be sited 29.3m from the proposed building. The proposed building would be approximately 1.5m higher than the ground level of the existing dwellings. The new building would attain a maximum height of 11.3m (to the ridge) and 9m to the eaves.

Given the separation distance between the dwellings and the new unit, orientation of the dwellings (gable facing towards the application site) and height of the proposed building even with the slight increase in ground levels it is not considered that the new building would have a significant impact on the amenity of the occupiers of the existing dwellings and as such would be in compliance with Local Plan policy CS19.

Noise issues are discussed in detail below.

Parking & Highway Safety

The site would be accessed from Wilson Road with four existing separate access points. Swept path drawings have been provided demonstrating that vehicles can safely manoeuvre in and out of the HGV site access point. The site access points are considered to be acceptable.

There is an existing TRO along the western side of Wilson Road which stops just after the northern most access point. The highways team have requested that this TRO be extended further along Wilson Road upto the zebra crossing prior to the junction with Link Road. This should be funded by the applicant and can be secured by way of a S106 agreement.

The revised site layout (12211-AEW-XX-XX-DR-A-503 Rev P12) has a range of modifications which address a number of the issues originally raised primarily relating to inadequate levels of car parking. Parking levels shown in this drawing now have an average of 1:64m² compared to the following requirements set out in the 'Ensuring a Choice of Travel' SPD:

- E(g)(ii & iii)- 1:30
- B2 - 1:45
- B8 - 1:100

The application seeks a range of possible use classes, and it is reasonable to assume that the units will attract uses from more than one class.

The applicants have provided an additional showing a maximised parking layout (12211-AEW-XX-XX-DR-A-509 Rev P1) for units C, G1 and G2, which demonstrates that further parking could be provided to cater for uses with more intensive car parking demand, but which require less servicing space for manoeuvring, etc. For the most intensive uses, likely to fall under class E(g)(ii) or (iii), it shall be a requirement by condition for the maximised layout to be implemented, although occupiers would not be prevented from introducing the higher rates of parking at other times.

It is acknowledged that Units F1-6 do not have a secondary, maximised, parking arrangement. This is acceptable because it is considered unlikely that all 6 units would be utilised within in a single use class. Furthermore, the parking can be shared between units which increases the utilisation of the spaces and this arrangement will be secured by condition to ensure it is retained in perpetuity.

Furthermore, highways would also seek a condition to prevent the change of use within the E use class under permitted development rights to other, non-specified uses, such as offices , retail or food and drink uses which may have a higher parking demand.

In conclusion the proposed access and car parking arrangements for the proposed development are considered to be acceptable subject to the necessary planning conditions set out above.

Noise Assessment

The application is supported by a noise assessment. Mitigation measures proposed comprise a 3.5m high acoustic barrier to the boundary of the service yards on units G2 and F6 and a 6m acoustic barrier to the service yard of Unit C. The acoustic barrier is likely to be an acoustic timber fence however full details of this can be secured by planning condition.

With the mitigation in place noise levels during the daytime and night-time periods are predicted to be below the guideline noise intrusion criteria at nearby residential properties assuming both a windows-open and a windows-closed scenario.

The noise level assessment shows that noise levels are not expected to change significantly from the existing situation which falls within the "No Observed Adverse Effect Level". Therefore, the proposed development is not expected to have an adverse impact on health or quality of life of local residents and proposals are considered to meet the requirements of the NPPF and saved UDP policy ENV2.

Water Mains and Flood Risk Assessment

United Utilities have advised that critical sewers cross the site, which cannot be built over and a maintenance strip for access would need to be retained. In order to protect the existing sewers from damage during construction a scheme would be required outlining potential impacts from construction on the sewers. This can be secured through a pre commencement condition.

UU also advise a scheme for surface water and foul water drainage would be required which can also be secured through a pre commencement planning condition.

LLFA have raised no objections in principle to the proposal subject to a detailed drainage strategy and a management and maintenance scheme for the drainage scheme which can both be secured by planning condition.

Trees

The application is supported by the necessary arboriculture reports. As a result of the development 5 trees are proposed to be removed close to the eastern site boundary with Wilson Road. Three tree groups are also proposed to be removed in the north western part of the site which is currently undeveloped.

The Council's arboriculture officer has advised that the trees to be removed should be replaced on a 2:1 basis with a minimum girth of 12-14cm. This can be secured by planning condition.

Tree replacement is not required for groups G13, G14 and G15 as they are predominately scrub.

Subject to the necessary planning conditions the proposal would be in compliance with saved UDP policy DQ4.

Ecology

The application is supported by an extended phase 1 habitat survey and daytime bat survey. The report states that no evidence of bat use or presence was found and that all buildings/structures and trees on site have negligible potential for roosting bats in line with best practice guidelines.

Further to initial consultation comments the applicant has subsequently submitted a biodiversity enhancement scheme and non- native invasive weed survey. The enhancement scheme comprises avoidance measures for the protection of hedgehogs, details of type and location of bat and bird boxes. These details are considered to be acceptable.

The invasive species survey includes measures to prevent the spread of Himalayan Balsam, which was found to the south of the site. The method statement for the control of Himalayan Balsam is considered acceptable.

Subject to the above reports being approved documents the proposal would be compliance with Local Plan policy CS8.

Air Quality

Local Plan Policy CS2 states that new development should reduce carbon emissions and adapt to the effect of climate change by ensuring an ability to adapt to future changes to national targets for carbon dioxide and other greenhouse gas emissions. It also states that new developments should mitigate potential negative impacts of traffic growth and road traffic on air quality.

Paragraph 186 in NPPF states that “Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.”

The Planning Practice guidance relating to Air Quality (November 2019) states that “Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity.”

An Air Quality Assessment has been submitted in support of the application. The Assessment identifies that the application site is not in an Air Quality Management Area, and concludes that the development would have a negligible impact on air quality with concentrations of Nitrogen Dioxide (NO_x) and Particulate Matter (PM_{xx}) increasing by less than 0.1µg/m³. Environmental Health have reviewed the document and do not dispute the predicted effects of the development on air quality.

Nevertheless, Environmental Health are concerned that the proposed development would introduce additional vehicular movements into an area where there are instances of poor air quality – in particular around Cronton Road / Whitefield Lane which will be made worse by other planned development around Junction 6 of the M62 Motorway.

Because the application site is very close to other major developments such as Halsnead Garden Village and Beacon 62 development Environmental Health believe that it cannot be considered in isolation. They have raised concerns to the development because they believe that any further impacts that could worsen the pollution levels, no matter how small, needs to be avoided.

Air quality impacts from a development are a material planning consideration and therefore need to be given appropriate weight and considered in the planning balance among all other material considerations and benefits of the proposal. It must be taken into account that the site was previously used as a distillery with a significant amount of vehicle movements to and from the site each day. It is very likely that if this proposal did not go ahead and the previous use of the site re-commenced then the nitrogen dioxide levels would still be in excess in the Cronton Road/Whitefield Lane area.

Taking this into account with the modelling which shows that there will only be negligible increases in nitrogen dioxide and particulate matter the Local Planning Authority do not consider that there is sufficient justification to refuse permission for this proposal because of its effects on air quality and it is not considered that the LPA would be able to robustly defend any such refusal at a planning appeal.

The applicant has offered mitigation in the form of the submission of a Construction Management Plan for the construction phase and securing Electric Vehicle Charging infrastructure and a Travel Plan for the operational phase and whilst these measures are welcomed – Environmental Health have advised that this would not be sufficient to overcome their concerns.

Planning Obligations

Local Plan Policy CS4 states that planning would be used to “ address skills and educational barriers to employment”

Policy CS27 states that new development will be expected to demonstrate compliance with Local Plan policies which specifically require developer contributions.

The Adding Social Value to Developments SPD states that “A section 106 agreement or unilateral undertaking will be used to secure provision of social value projects either directly by a developer or by way of a commuted sum contribution towards specified social value projects provided by the Council's approved partner(s). In either case, a commuted sum may also be sought towards the costs of preparing and monitoring the Social Value Strategies required by this SPD.”

A social value strategy to provide training programmes and delivering social value during construction and end use phases of the development is required to be submitted prior to the commencement of development.

In accordance with the adding social value to development SPD a social value contribution is required which is used towards supporting the provision of social value delivery and towards the costs of monitoring the implementation of the Social Value Strategy. The contribution would comprise £4,072 for the implementation of the strategy and £2,714 for the monitoring of the strategy. Both the social value strategy and contribution can be secured by a S106 legal agreement.

The procedure to commence the extension of the TRO on Wilson Road, together with the associated costs of implementation (£6,500) is also required to be secured via a S106 agreement.

The above obligations would ensure compliance with Local Plan policies CS4, CS7 and CS27 and the Adding Social Value to Developments SPD.

Conclusion

The principle of development is considered to be acceptable and in accordance with the site's land allocation on the Local Plan policies map. The proposal is considered acceptable in terms of residential amenity (including noise impacts), design, layout and impact on trees and ecology.

The proposal would be in compliance with the relevant local plan and saved UDP policies listed above.

Air Quality is clearly an issue particularly in the area of Cronton Road/Whitefield Lane nearby to the application site, with nitrogen dioxide levels either breaching the required maximum level or very close to the maximum level. However, this issue needs to be weighed in the planning balance and it is not considered that in this instance the proposal could be refused on air quality impacts for the reasons set out above.

Recommendation

That planning permission be granted subject to the following conditions.

- 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) Notwithstanding any description of materials in the application, no above ground construction works of any phase of development shall take place until samples and / or full specification of materials to be used externally on the buildings to which they relate within that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out only in accordance with the agreed schedule of materials.

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

- 4) Notwithstanding the submitted soft landscaping scheme and proposed external surfaces plan no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- a) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- b) hard surfaced areas and materials,
- c) planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.

(including the incorporation of species rich grassland into landscaping areas on site and new native tree and shrub planting to replace that being lost)

- d) existing plants / trees to be retained
- e) tree replacement scheme for the 5 individual trees to be removed on a 2:1 basis with a minimum girth of 12-14cm.
- f) incorporation of species rich grassland into landscaping areas and new native tree and shrub planting to replace that being lost.
- g) A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the first occupation of the development or in accordance with a timetable to be agreed by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 5) At least five days written notice must be given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in the submitted arboriculture report ref B029861 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 6) All works which form part of the mitigation measures as detailed within the Noise Assessment (Network Space Ltd, Sovereign Business Park, February 2022, report ref: 784-B029681) shall be implemented in full in accordance with the scheme as agreed prior to the first occupation of the development and shall be retained at all times the development is in use and maintained in accordance with the approved scheme. Documentary evidence of the implementation of the works shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development.

Reason: To safeguard local residents from noise and disturbance, and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 7) 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 safeguard local residents from noise and disturbance, and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

8) A. Risk Assessment

No development (except for demolition works) 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.

Prior to any further ground investigations taking place, the scope of works for these investigations must be agreed, in writing, with the local planning authority.

The assessment must also 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 (were 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.

E. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

F. Importation of Soil/Material

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 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

- 9) Prior to the commencement of development, details of a sustainable surface water drainage scheme based on the principles of the SUDS manual (C753) and the criteria set out within Knowsley Strategic Flood Risk assessment (SFRA Levels 2) and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation of any unit hereby approved the approved drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and to ensure compliance with Policy CS24 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 10) No part of the development hereby permitted (including demolition) shall be commenced until a Demolition/Construction Management Plan that details the means of mitigation of construction effects has been submitted and agreed in writing by the Local Planning Authority. This shall include the following:
- a) Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
 - b) Methods for dust control and suppression.
 - c) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
 - d) The areas for the storage of plant and materials.
 - e) A programme of works, including phasing
 - f) Layout of the site compound including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles [for each phase as necessary].
 - g) Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a Banksman.
 - h) Construction staff parking arrangements
 - i) hours of construction (the following is usually acceptable: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays).
 - j) methods to be used to minimise waste and implementation of measures to achieve efficient use of resources including designing out waste and minimisation of off-site disposal
 - k) details of relevant pest control measures during construction.
 - l) Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.

All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

11. A Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development through an appropriate legally binding agreement shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- (i) The arrangements for adoption by an appropriate public body or statutory undertaker or details of provision for management and maintenance by a resident's management company.
- (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime
- (iii) Details for planned maintenance and a mechanism for remedial and urgent repair works.
- (iv) Means of access for inspection and maintenance purposes.
- (v) The plan shall be implemented in accordance with the timeframes contained within it.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

12. The development shall not be brought into use until the approved parking and vehicular manoeuvring layout for the intended use class 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 within class B2 or B8 shall be laid out in accordance with drawing A-0503 Rev P13. For Units C, G1 or G2, any uses falling within either classes E (g)(ii) or (iii) parking shall be laid out in accordance with A-0509 Rev P01.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

13. The proposed development shall not be brought into use until precise scheme details of the proposed cycle storage highlighted on Drawing A-0503 Rev P13 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed before any part of the development hereby permitted has been brought into use. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles securely and to comply with Policy CS7 of the Core Strategy, adopted January 2016

14. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises to which this permission relates shall only be used for either Use classes B2, B8 and E(g)(ii)&(iii); and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for a further change of use, whether or not it falls within the same Use Class and to comply with Policies CS7 & CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016

15. The car parking spaces serving units F1-F6 shall remain available to any users of said units within Block F and shall not be fenced, segregated, marked out, signed or otherwise reserved for specific users.

Reason: To ensure that parking is adequately utilised for units F1-F6 to avoid overspill parking, which may affect the passage of traffic into or out of the site to the detriment of highway safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

16. No part of the development hereby permitted shall be occupied prior to implementation of the submitted Framework Travel Plan B024793 TP Issue 1. During the first year of occupation of each block (C, F, G1 or G2) a Full Travel Plan based on the Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Each approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment and to comply with saved policy T9 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

17. The proposed development shall not be brought into use until precise scheme detail of the proposed cycle storage highlighted on Drawing A-0503 Rev P13 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed before any part of the development has been brought into use. For the avoidance of doubt, long stay cycle parking must be covered and offer a means to secure the cycles.

Reason: To ensure that adequate provision is made for parking cycles securely and to comply with Policy CS7 of the Core Strategy, adopted January 2016

18. No part of the development hereby permitted shall be brought into use until a scheme for the provision of motorcycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before any part of the development is brought

into use and shall be retained as such thereafter. For the avoidance of doubt, parking must offer a means to secure the motorcycles.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/02/2023	12211-AEW-XX-XX-DR-A-0501-S2-P04	-	Location plan
23/05/2022	B029681	-	Arboricultural Report
11/07/2022	12211-AEW-BC-ZZ-DR-A-0535	REV P05	UNIT C - PROPOSED GA FLOOR PLANS
11/07/2022	12211-AEW-BC-RF-DR-A-0536	REV P04	UNIT C - PROPOSED GA ROOF PLAN
11/07/2022	1211-AEW-BC-XX-DR-A-0537	REV P05	UNIT C - PROPOSED GA ELEVATIONS
11/07/2022	12211-AEW-BC-DR-A-0538	REV P05	UNIT C - PROPOSED GA SECTIONS
11/07/2022	12211-AEW-G1-XX-DR-A-0561	REV P04	UNIT G1 - PROPOSED GA FLOOR PLANS
11/07/2022	12211-AEW-G1-XX-DR-A-0562	REV P04	UNIT G1 - PROPOSED GA ROOF PLAN
18/02/2022	784-B029681	-	NOISE ASSESSMENT
18/02/2022	B024793 TP Issue 1	-	FRAMEWORK TRAVEL PLAN
18/02/2022	-	-	Habitat survey
01/09/2022	100.22042-ACE-040-RP-C-0001-P1	-	DRAINAGE STRATEGY & FLOOD RISK ASSESSMENT
18/02/2022	12211-AEW-BC-RF-DR-A-0536-S2-P02-Unit C - Proposed GA Roof Plan	-	PROPOSED GA ROOF PLAN UNIT C
18/02/2022	12211-AEW-BC-XX-DR-A-0537-S2-P02-Unit C - Proposed GA Elevations	-	PROPOSED GA ELEVATIONS UNIT C
18/02/2022	12211-AEW-BC-XX-DR-A-0538-S2-P02-	-	PROPOSED GA SECTIONS UNIT C

	Unit C - Proposed GA Sections		
18/02/2022	12211-AEW-BC-ZZ- DR-A-0535-S2-P02- Unit C - Proposed GA Floor Plans	-	PROPOSED GA FLOOR PLANS UNIT C
18/02/2022	12211-AEW-BF-RF- DR-A-0556-S2-P02- Unit F - Proposed GA Roof Plan	-	PROPOSED GA ROOF PLAN UNIT F
18/02/2022	12211-AEW-BF-ZZ- DR-A-0555-S2-P02- Unit F - Proposed GA Floor Plans	-	PROPOSED GA FLOOR PLANS UNIT F
18/02/2022	12211-AEW-BF-ZZ- DR-A-0557-S2-P02- Unit F - Proposed GA Elevations	-	PROPOSED GA ELEVATIONS UNIT F
18/02/2022	12211-AEW-BF-ZZ- DR-A-0558-S2-P02- Unit F - Proposed GA Sections	-	PROPOSED GA SECTIONS UNIT F
18/02/2022	12211-AEW-G1-XX- DR-A-0561-S2-P02- Unit G1 - Proposed GA Floor Plans	-	PROPOSED GA FLOOR PLANS UNIT G1
18/02/2022	12211-AEW-G1-XX- DR-A-0562-S2-P02- Unit G1 - Proposed GA Roof Plan	-	PROPOSED GA ROOF PLAN UNIT G1
18/02/2022	12211-AEW-G1-XX- DR-A-0563-S2-P02- Unit G1 - Proposed GA Elevations	-	PROPOSED GA ELEVATIONS UNIT G1
18/02/2022	12211-AEW-G1-XX- DR-A-0564-S2-P02- Unit G1 - Proposed GA Sections	-	PROPOSED GA SECTIONS UNIT G1
18/02/2022	12211-AEW-G2-RF- DR-A-0522-S2-P03- Unit G2 - Proposed GA Roof Plan	-	PROPOSED GA ROOF PLANS UNIT G2
18/02/2022	12211-AEW-G2-XX- DR-A-0521-S2-P03- Unit G2 - Proposed GA Floor Plans	-	PROPOSED GA FLOOR PLANS UNIT G2
18/02/2022	12211-AEW-G2-XX- DR-A-0523-S2-P03- Unit G2 - Proposed GA Elevations	-	PROPOSED GA ELEVATIONS UNIT G2
23/05/2022	-	-	SOCIAL VALUE STRATEGY
07/11/2022	-	-	BIODIVERSITY ENHANCEMENT SCHEME
07/11/2022	220712	-	INVASIVE SPECIES SURVEY RESULTS
10/11/2022	12211-AEW-XX-XX- DR-A-0017-S2-P01	-	PROPOSED SITE LEVELS PLAN

07/11/2022	12211-AEW-XX-XX-DR-A-0016-S2-P02	-	PROPOSED SECTIONS
07/11/2022	12211-AEW-XX-XX-DR-A-0503-S2-P09	-	AMENDED SITE LAYOUT
10/02/2023	12211-AEW-XX-XX-DR-A-0503 REV P13	-	PROPOSED MASTERPLAN
11/07/2022	12211-AEW-BC-ZZ-DR-A-0535 REV P05	-	UNIT C PROPOSED FLOOR PLANS
11/07/2022	12211-AEW-BC-RF-DR-A-0536 REV P04	-	UNIT C - PROPOSED ROOF PLAN
11/07/2022	12211-AEW-BC-XX-DR-A-0537 REV P05	-	UNIT C - PROPOSED ELEVATIONS
11/07/2022	12211-AEW-BC-XX-DR-A-0538 REV P05	-	UNIT C - PROPOSED SECTIONS
11/07/2022	12211-AEW-G1-XX-DR-A-0561 REV P04	-	UNIT G1 - PROPOSED FLOOR PLANS
11/07/2022	12211-AEW-G1-XX-DR-A-0562 REV P04	-	UNIT G1 - PROPOSED GA ROOF PLAN
23/05/2022	12211-AEW-BF-ZZ-DR-A-0557-S2-P04-Unit F	-	PROPOSED ELEVATIONS UNIT F
23/05/2022	12211-AEW-BF-ZZ-DR-A-0558-S2-P04-Unit F	-	PROPOSED SECTIONS UNIT F
23/05/2022	12211-AEW-G1-XX-DR-A-0563_S2-P03_Unit G1	-	PROPOSED ELEVATIONS UNIT G1
23/05/2022	12211-AEW-G1-XX-DR-A-0564-S2-P03-Unit G1	-	PROPOSED SECTIONS UNIT G1
23/05/2022	12211-AEW-G2-RF-DR-A-0522-S2-P05-Unit G2	-	PROPOSED ROOF PLAN - UNIT G2
23/05/2022	12211-AEW-G2-XX-DR-A-0521-S2-P05-Unit G2	-	PROPOSED FLOOR PALN UNIT G2
23/05/2022	12211-AEW-G2-XX-DR-A-0523_S2-P05_Unit G2	-	PROPOSED ELEVATIONS UNIT G2
23/05/2022	12211-AEW-G2-XX-DR-A-0524-S2-P04-Unit G2	-	PROPOSED SECTIONS UNIT G2
23/05/2022	12211-AEW-BF-RF-DR-A-0556-S2-P04-Unit F	-	PROPOSED ROOF PLAN UNIT F
23/05/2022	12211-AEW-BF-ZZ-DR-A-0555-S2-P04-Unit F	-	PROPOSED FLOOR PLAN UNIT F
14/02/2023	12211-AEW-XX-XX-DR-A-0508 REV P02	-	AMENDED PEDESTRIAN CONNECTIVITY PLAN
01/02/2023	26263-HYD-XX-XX-TP-DR-1009.REV P01.01	-	SWEPT PATH - HGV NORTHERN ACCESS

01/02/2023	26263-HYD-XX-XX-TP-DR-1008 REV P01.01	-	SWEPT PATH 16.5M HGV NORTHERN ACCESS
24/01/2023	26263-HYD-XX-XX-RP-TP-6001-REV P2-S4	-	AMENDED FRAMEWORK TRAVEL PLAN
12/01/2023	12211-AEW-XX-XX-DR-A-0509- REV - P1	-	Maximised Parking Ratios Plan
10/02/2023	12211-AEW-XX-XX-DR-A-0504 REV P07	-	PROPOSED EXTERNAL SURFACES

Signed
Case
Officer¹: **Mark**
 Quinn _____

Signed
Authorising
Officer²: **Alan Kilroe** _____

Date: **25/4/23** _____

Informatives

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

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

2. No scrub clearance, tree removal, vegetation management or building works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, scrub, trees and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.
3. Please find attached correspondence from The Coal Authority (30th August 2022) United Utilities (18th August 2022), Cadent Gas (18th August 2022) Merseyside Fire Service (28th July 2022)
4. 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 the Site Development Team at SiteDevelopment@knowsley.gov.uk to discuss the matter further.
5. The drainage scheme required pursuant to Condition 10 shall include the following :-
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;
 - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. (vi) Currently, the proposed drainage design is based on an assumption which infiltrating-based features will not be feasible. Final destination of surface water runoff should be determined based on site characteristics by following the surface water drainage discharge hierarchy. As requested by National Planning Practice Guidance applications should aim to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:

o into the ground (infiltration)

- o to a surface water body

- o to a surface water sewer, highway drain, or another drainage system, and

- o to a combined sewer.

For infiltrating-based methods, the soakaway test should be completed according to the BRE 365 method and their results should be submitted with the full application. Should the infiltration rate on site would be sufficient for infiltration-based features, the proposed drainage design should be revisited.

(vii) Drainage Plan showing drainage layout, manholes including cover and invert levels, proposed finished floor levels, pipe sizes and gradients, all on -line controls, on and off line storage structures and outfall details. Results showing all the modelling criteria and summary network results for critical 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% CC storm events showing maximum water level, flow and velocity and details of any surface flooding anticipated will be required.

(viii) A drawing showing the proposed impermeable and permeable areas, suitably annotated.

(ix) Plan showing overland exceedance routes in the event of a failure of the drainage system or storm event in excess of the 1 in 100 + 40% CC storm event. Flow routes need to be considered when all on site drainage systems have been overwhelmed by an event of greater intensity than the design scenario. The impact of exceedance flows from and on adjacent land should also be considered. The duration of flooding, maximum depth and the route of flood flows shall be established and managed so as to mitigate the flood impact to people and property. For the assessment of an exceedance event impact, it would be expected to consider the 1 in 200 rainfall event plus climate change.

- (x) The risk assessment should include for blockage of pipes, blockage of outlet structures and risk of impediments across planned flood routing paths. The application should be supported by a designer's risk assessment that identifies key points of failure of the system and what means have been engaged to limit risk of failure. This will also inform the maintenance plan with regards to corrective actions needed should a failure occurs.
- (xi) Summary Drainage Report setting out the Drainage Strategy and results of the calculations demonstrating compliance with the above.
- (xii) Where third party agreements to construct sewers and to discharge flows are required, then written evidence of these two agreements shall be provided.
- (xiii) A SuDS aims to minimise the impacts from a proposed development on water quality and maximise amenity and biodiversity. In designing an appropriate set of SuDS techniques for a development site, the LLFA will therefore be expecting above ground, green SuDS to be prioritised to promote water quality, amenity and biodiversity.
- (xiv) In order to determine a stand-off distance from any of the three sewers crossing the site, they must be surveyed to determine the precise location, depth and condition. The existing connection points should be surveyed (location and cover and invert levels) to make sure the suitability of the points for use.

- (xv) The surface water from the exiting site is assumed to be discharged to two outfall points as well as to an attenuation area/feature. Catchment areas to each of these points and location of the attenuation area/feature should be determined.
- (xvi) An assessment of groundwater level and ground conditions should be provided.
- (xvii) Water quality should be taken into account as part of the proposed drainage design. It will be required to demonstrate that adequate water quality of the off-site surface water flows (draining into a sewer, watercourse and ground) in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753) can be achieved. In this case that an industrial yard is proposed, water quality risk to surface water bodies and groundwater should be assessed (screening risk or detailed risk assessment) and mitigation measures to be adopted to ensure that risk to both surface water bodies, and groundwater are effectively managed (see Table 26.1 of the SUDS Manual).
- (xviii) Given the topography of the site, the risk of surface water runoff entering the site from off-site should be assessed and, if required, protection / interception measures to be proposed.
- (xix) Calculations and any supporting survey and investigations to justify and demonstrate the existing and proposed discharge rate.
- (xx) Drainage Plan showing drainage layout, manholes including cover and invert levels, proposed finished floor levels, pipe sizes and gradients, all on -line controls, on and off line storage structures and outfall details. Results showing all the modelling criteria and summary network results for critical 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% CC storm events showing maximum water level, flow and velocity and details of any surface flooding anticipated will be required.
- (xxi) A drawing showing the proposed impermeable and permeable areas, suitably annotated.
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- (xxiv) Summary Drainage Report setting out the Drainage Strategy and results of the calculations demonstrating compliance with the above.
- xxv) Where third party agreements to construct sewers and to discharge flows are required, then written evidence of these two agreements shall be provided.

Appendix 1 – Site Photographs







































