

<u>APPLICATION NO:</u>	22/00686/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	Land Bounded By Acornfield Road, Draw Well Road And Ashcroft Road , Knowsley Industrial Park, Kirkby		
<u>PROPOSAL:</u>	APPLICATION TO VARY CONDITION NO. 23 (NO OUTSIDE STORAGE) ATTACHED TO PLANNING PERMISSION 20/00688/FUL (THE ERECTION OF 3 NO. INDUSTRIAL/WAREHOUSE UNITS (USE CLASSES B2/B8) WITH ANCILLARY OFFICE SPACE TOGETHER WITH THE CONSTRUCTION OF NEW ACCESSES, HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED WORKS) TO ALLOW FOR OUTDOOR STORAGE SUBJECT TO ANY OUTDOOR STORAGE PROPOSALS TO BE FIRST SUBMITTED TO LPA FOR APPROVAL		

Site Description

The application site comprises approximately 2.74ha located on land within Knowsley Industrial Park and bounded by Acornfield Road on the east with Draw Well Road on the west; there is a short length bounded by Ashcroft Road to the north. The site houses 3 industrial / warehouse units (Use Class B2 / B8) with ancillary office space together with accesses, landscaping and other associated works. Previously on the site there were 4 concrete ammunition bunkers dating from WW2 and an office building at the north end of the site which were subsequently demolished prior to the approval and development of the new units. On Acornfield Road opposite the site is the former Kodak site

Proposal

Condition 23 of planning permission 20/0688/FUL, which granted planning approval for the units and ancillary works states the following: -

“No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site except as agreed pursuant to Condition 18 of this planning permission.

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

The site operator considers the condition to be too restrictive for end users of the units given the nature of the development and proposes the condition to be revised to allow flexibility for occupiers of the units and their operations.

Consultations

None Required

Representations

This application has been publicised by letters sent to 52 neighbours. No representations have been received.

Relevant Planning History

20/00688/FUL - ERECTION OF 3 NO. INDUSTRIAL/WAREHOUSE UNITS (USE CLASSES B2/B8) WITH ANCILLARY OFFICE SPACE TOGETHER WITH THE CONSTRUCTION OF NEW ACCESSES, HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED WORKS. Granted: 27.10.2021.

20/00114/DEMCON - DEMOLITION OF 4NO BUNKERS (9/3, 9/5, 9/7 & 9/9), 1NO FORMER SECURITY LODGE AND 1NO FORMER TWO STOREY OFFICE BLOCK. Prior Approval required and given: 31.03.2020.

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

CS19 - Design Quality and Accessibility in New Development

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

EC3 - Primarily Industrial Areas

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.

Assessment

The issues with regard the application to vary condition 23 of planning permission 20/00688FUL for 3 B2 / B8 units within Knowsley Industrial Park are visual amenity considerations and any potential site operations impacts.

Visual Amenity Considerations

Given the location of the site within Knowsley Industrial Park and sited between Draw Well Road and Acornfield Road outdoor storage would be acceptable and offer flexibility to existing and future end users of the units. Given the context of the location within the Industrial Park where such outdoor storage is commonplace, and the overall visual improvements to the area as a result of the site redevelopment compared to the concrete bunkers previously within the site the allowance of outdoor storage would be acceptable and would not result in significant loss of visual amenity, particularly assessed against the previous bunkers. Whilst it is considered that details of each outdoor storage are not necessary it is considered that any storage should be set behind the building line of the units along both Acornfield Road and Draw Well Road. With regards the Acornfield Road side of the units, the offices and visitor entrances are in fact located here so in effect any storage would be set in further than the building line, away from the glazed elements of the units comprising the offices and entrance. Furthermore, siting of such outdoor storage should be limited in height to avoid becoming overly prominent within the site, and 4m in height from ground level seems a reasonable such height to ensure such does not occur yet allow operational outdoor storage when required.

Site Operations Impacts

Outdoor storage within the site would have no highways implications provided that such storage did not occur on car parking areas, servicing areas and vehicle manoeuvring areas as identified on the Proposed Site Plan approved pursuant to planning permission 20/00688/FUL.

Conclusion

The application to vary the condition is acceptable with regards visual amenity and site operations and complies with planning policies. However, it is not considered that all outdoor storage details should be agreed given the location in the industrial park, rather it is recommended that parameters are set for the height and location of any outside storage. Storage. The application is recommended for approval

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 1) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1 and approved pursuant to planning permission 20/00688/FUL.

Reason: For the avoidance of doubt.

- 2) Any outdoor storage shall be set behind the building lines of the units along Acornfield Road and Draw Well Road and shall not be stored on any car parking and manoeuvring areas as detailed on the Proposed Site Plan approved pursuant to planning permission 20/00688/FUL with any such storage not exceeding 4m in height from ground level of the land on which the storage occurs (including stacked storage) at any time.

Reason: In the interests of visual amenity and to comply with Policies CS2, CS4 and 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.

- 3) The site levels and sections of the site shall only be as agreed pursuant to condition 4 of planning permission 20/00688/FUL unless a planning application has been submitted to and agreed for any variance to those agreed levels / sections.

Reason: For the avoidance of doubt and in the interests of protecting the amenity of neighbouring occupiers and the amenity of the area and to comply with the NPPF and Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 4) Site drainage shall only be in accordance with the site drainage scheme agreed pursuant to Condition 5 of planning permission 20/00688/FUL and shall be operated in accordance with such details at all times that the any unit is on site unless a planning application is submitted and agreed for a subsequent drainage scheme.

Reason: For the avoidance of doubt and to ensure the satisfactory drainage of the site and prevention of the flooding of surrounding land in accordance with Paragraph 163 of the National Planning Policy Framework, House of Commons Written Statement 161 for Sustainable Drainage Systems, Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy January 2016.

- 5) The Management and Maintenance Plan for the sustainable drainage system of the site shall be as agreed pursuant to Condition 6 of planning permission 20/00688/FUL and shall be so operated at all times that the agreed drainage system agreed pursuant to Condition 5 of planning permission 20/00688/FUL is operational on site. In the event that the drainage system is amended in accordance with a submitted planning permission as required pursuant to Condition 4 of this planning permission a Management and Maintenance Plan is required to be submitted either as a separate planning application or as part of the required drainage scheme planning application required. The Management and Maintenance Plan Plan agreed pursuant to Condition 6 of planning permission 20/00688/FUL shall be operated in accordance with the timeframes contained within it.

Reason: For the avoidance of doubt and to ensure effectiveness of the flood risk measures during the lifetime of the development and to comply with the NPPF and Policies CS2 and CS24 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 6) In the event that contamination is found at any time when carrying out any approved works not identified previously 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 which shall be implemented prior to further works in that area carrying on.

Reason: In the interests of the environment and human health and safety and to comply with the NPPF and Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 7) 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 to which it relates; 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 the environment and human health and safety and to comply with the NPPF and Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 8) The cycle parking provision agreed pursuant to Condition 11 of planning permission 20/00688/FUL shall retained at all times that the development is on site.

Reason: For the avoidance of doubt and to ensure that adequate provision is made for parking cycles on the site in the interests of sustainable transport and to comply with the NPPF and Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 9) The areas indicated on the Proposed Site layout plan referenced S2317 - 02 REV R approved under planning permission 20/00688/FUL for the provision of parking, servicing, vehicular manoeuvring (including provision for pedestrians/cyclists) shall be permanently retained as such at all times that the development is on site.

Reason: For the avoidance of doubt and to ensure there is adequate onsite parking and servicing space in the interests of highway safety and to comply with the NPPF and Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 10) Notwithstanding the Proposed Site Layout plan approved pursuant to planning permission 20/00688/FUL, no gates or barriers shall be placed on the site access roads as follows:

- between the adopted highway and car parking space no.14 of car park C;

- between the adopted highway and car parking space no.14 of car park B;
and
- at car park A1.

Reason: For the avoidance of doubt and to ensure that there is no obstruction of the highway caused by waiting vehicles in front of closed gates or barriers and to maintain the free flow of traffic on the adopted highway in the interests of road safety and to comply with the NPPF and Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 11) The Travel Plan approved pursuant to condition 14 of planning permission 20/00688/FUL shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the relevant building is occupied and in use.

An annual report shall be submitted to the Local Planning Authority no later than 1 month following the anniversary of the first occupation of the relevant building for a period of 5 years. The report shall include a review of the approved Travel Plan measures, monitoring data and updated action plan.

Reason: To maximise opportunities for travel by modes of transport other than the private car, to ensure that the development is sustainable and to comply with the NPPF and Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy T9 of the Knowsley Replacement Unitary Development Plan adopted

- 12) The EVCP approved pursuant to condition 15 of planning permission 20/00688/FUL shall be retained at all times that the buildings to which the relevant EVCP relates is on site, and the charge points shall be in accordance with the stated details in that condition at all times.

All EV charging points shall be clearly marked as such and their purpose explained to new employees within their staff orientation programme.

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

- 13) The landscaping of the site shall only be in accordance with the soft landscaping scheme details approved pursuant to planning permission 20/00688/FUL and implementation in accordance with condition 18 of planning permission 20/00688/FUL. The establishment and maintenance of the landscaping shall be in accordance with details agreed pursuant to condition 18 of planning permission 20/00688/FUL. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

Reason: For the avoidance of doubt and in the interests of visual amenity and to comply with the NPPF and Policies CS19 and CS21 of the Knowsley Replacement Unitary Development Plan adopted January 2016.

- 14) The bat and bird boxes agreed pursuant to condition 20 of planning permission 20/00688/FUL shall be retained at all times and replaced as necessary in accordance with those agreed details.

Reason: For the avoidance of doubt, in the interests of biodiversity and habitat mitigation and to comply with the NPPF and Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 15) The recycling / refuse bin numbers and recycling / bin store details for each building agreed pursuant to condition 21 of planning permission 20/00688/FUL shall be retained at all times the relevant building is on site.

Reason: For the avoidance of doubt, in the interests of visual amenity and to ensure that parking / servicing is not compromised and to comply with the NPPF and Policies CS2, CS7, CS19 and CS26 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 16) No work shall be carried out outside the confines of the buildings hereby permitted on the site.

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

- 17) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and as amended 1 September 2020, the buildings approved pursuant to planning permission 20/00688/FUL shall be limited to Class E(g), B2 and B8 uses only and for no other uses, including any other uses falling within Class E of the Schedule to that Order or in any provision equivalent to those Classes 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 CS2, CS4, CS7 and CS11 of the Knowsley Local Plan Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
04/11/2022	S2317-00	D	SITE LOCATION PLAN

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: K Foster

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

Date:

15 December 2023

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

