

<u>APPLICATION NO:</u>	22/00394/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	Pine Precision Engineering Limited, 10 Stretton Way, Huyton		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION TO WORKSHOP		

Site Description

The site is located on Stretton way and also bounds Ellis Ashton Street on the north side. There is an existing industrial building on site and areas of hard standing and the sides and rear of the site have significant vegetation including numbers of trees. Logwood Mill Brook runs along the rear of the site the length of Stretton Way. The site rises west to east with a minimum level adjacent Logwood Mill Brook of approximately 28.05m AOD (Above Ordnance Datum) rising to approximately 28.05 AOD adjacent Stretton Way.

Proposal

The proposal is for a single storey extension to the workshop and to extend the car park and install a new loading/unloading area at the rear of the extended car parking area.

The extension would be approximately 22.9m deep with a width of approximately 15.5m, whilst the extension would match the existing building with regards to eaves height and ridge height of the roof, which would be pitched to match the existing. The materials would match the existing, comprising matching brick to the lower elevations with profiled cladding above matching the existing building. The roof would be of profiled sheeting to match the roof of the existing building with windows and rainwater goods etc all matching those of the existing building.

The car parking would be extended westwards from the existing area of hard standing to give seven parking bays. The existing car parking is informal, and this area would be marked out to give 10 bays giving a total of 17 car parking spaces. At the western end of the extended car park an area of hard standing would be installed for loading / unloading purposes.

Consultations

Highway Authority - No objections but request conditions.
Environmental Health - No objections buy request condition.
Arboricultural Officer - No objections but request a condition and that the submitted arboricultural documents are made approved documents.
Environment Agency - No objections but give comments / informatives.
Historic England - No objections.
Whiston Town Council - No comments received.

Representations

This application has been publicised by letters sent to 15 neighbours. No representations have been received.

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
CS7 – Transport Networks
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
CS24 - Managing Flood Risk

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

EC3 - Primarily Industrial Areas
DQ4 - Trees and Development
ENV2 – Noise and Vibration

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

The application site is within a primarily industrial area and therefore the proposed extension to an existing industrial building is acceptable in principle subject to details and policy considerations.

Visual Amenity Considerations

The proposed extension would accord with the existing building in terms of design and materials and would be in keeping with the character of the existing building and the locality in general. The proposed car park extension and the proposed unloading/loading area would be at the back end of the existing car park area and would have little impact on the visual amenity of the site or the area.

The application therefore complies with Policies CS2 and CS19 of the Core Strategy and saved Policy EC3 of the UDP.

Highways Considerations

According to the KMBC 'Ensuring a Choice of Travel' SPD, the parking requirement for a unit of the existing size is 9 spaces (1 space per 45m²). The proposed extension as revised would require a further 8 spaces leading to a total requirement of 17 spaces, which is the total number of spaces that would be provided within the extended car park area. The site access / egress would be unchanged, and no issues are raised in relation to this by the proposed extension. The Council Highways Engineer has no objections to the application as revised but requests conditions relating to cycle / motorcycle parking provision and that the car park is surfaced and laid out prior to the extension coming into use.

The application therefore complies with Policies CS2 and CS7 of the Core Strategy.

Flood Risk Issues

Most of the site is within a Flood Zone 1 area although the western parts of the site do fall within a Flood Zone 3 area. As a result, a Flood Risk Assessment has been submitted, with flood mitigation measure included, in support of the application. Flood Zone 1 areas have a low probability of flooding whilst Flood Zone 3 areas have a high risk. The FRA notes that both the existing building and proposed extension are within the Flood Zone 1 area. EA records have no noting that the site has suffered flooding previously. The main risk of the site flooding arises from Logwood Mill Brook adjacent the western boundary of the site. However due to the site topography the FRA considers the Brook to pose a low level of flood risk. All other sources of flood risk are low risk as identified in the FRA. Any floodwater movement across the site would not be impeded the FRA notes.

Flood risk at the site would be managed through various mitigation measures. The finished floor levels of the extension would be at the level of the finished floor levels of the existing building. It is impractical to higher the finished floor levels of the extension due to headroom constraints and that the extension is to the existing workshop and industrial building and therefore for internal operations the same floor level is required. Flood resistance measures can be incorporated into a building. The FRA notes that the proposed extension would incorporate flood resistance measures including: -

- Thick walls for the building.
- Sealant used around all external doors and windows.
- All windows to be of sufficient height.
- All doors and windows to be of hard-wearing materials.

These measures will help prevent water entering the property and make the extension more resistant to seepage. In addition, all electrics, switches, sockets, socket outlets etc are to be located a minimum of 450mm above finished floor level.

It is considered that with the low risk level of flooding to the site and impacting the extended building the proposed mitigation measures are sufficient and acceptable. The proposal therefore complies with Policies CS2 and CS24 of the Core Strategy.

Arboricultural Issues

There are two trees and three groups of trees within the site. The trees are an alder and a crack willow whilst Group 1 includes alder and dogwood. Group 2 includes alder, acer, ash, crack willow, dogwood, rowan and lime specimens with group 3 including goat willow, alder and London plane. The groups of trees are young to semi-mature specimens whilst the individual alder and crack willow are mature, the crack willow being multi-stemmed with one failed stem and one stem suspended in neighbouring trees. The individual alder is shown as condition B2 and all other trees showing as condition C2. Category B trees are trees of moderate quality with life expectancy of 20 years or more; category C trees are trees of low quality with life expectancy of at least 10 years. The sub-category 2 means that they are trees with landscape values rather than arboricultural or cultural values.

The individual crack willow is proposed to be felled, whilst it is proposed to remove small sections of group 1 and group 3 trees to allow development. The tree loss would not be detrimental to the visual amenity of the area particularly given the level of tree cover on the site. Given that level of remaining tree cover no proposed replacement planting has been proposed and it is considered that none is required in this instance, particularly given the quality of the trees to be felled. All other trees would remain and would be protected during construction works. The Council Arboricultural Officer has not requested replacement planting but has requested that the arboricultural report be an approved document if planning permission is granted, and that a 5 days' notice of commencement of works condition be attached to any planning permission to allow a check that the tree protection measures are in place before works commence.

As such it is considered that the proposal accords with the principles of Policies CS2 and CS21 of the Core Strategy and saved Policy DQ4 of the UDP.

Conclusion

The proposed extension would allow the growth of the company and to contribute with meeting production requirements. The proposal would be acceptable in terms of design and visual amenity and the parking levels would be sufficient. The proposed flood mitigation measures are acceptable given the context of the site as existing and the minimal tree loss would be acceptable to facilitate the proposal given the quality of the trees to be felled and the level of tree cover at the site. The proposal complies with planning policy, and there is mitigation with regard to tree replacement is not required by condition in this particular instance, and as such the application is

recommended for approval subject to conditions.

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 the approved site plan the extension shall not be brought into use until a scheme for the provision of a minimum of two cycle and two motorcycle parking spaces, has been submitted to and approved in writing by the Council as Local Planning Authority, and the agreed scheme implemented. The agreed scheme shall be retained as such thereafter. 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 the parking of cycles and motorcycles on the site and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 4) The development shall not be brought into use until the areas indicated on 'Drawing 004-Proposed Front, Side and Rear Elevations Revision A' to be set aside for parking, servicing, vehicular manoeuvring have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 5) No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays.

Reason: In the interests of amenity and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 6) The flood mitigation works identified in the approved Flood Risk Assessment referenced KRS.0698.001.R.001.A shall be implemented in full prior to the extension hereby permitted coming into use and shall be retained at all times thereafter.

Reason: To mitigate potential damage from flooding and to comply with Policy 24 of the Knowsley Local Plan Core Strategy adopted January 2016.

- 7) Five working days written notice shall be given in writing to the Local Planning Authority before commencement of the works hereby granted.

Reason: To ensure that the tree protection fencing identified in the Arboricultural report by Guy Smallthwaite referenced TREE SURVEY BS5837:2012 and dated 22 July 2022 is implemented correctly and to comply with Policies CS2 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
05/08/2022	-	-	TREE SURVEY
05/08/2022	001	-	EXISTING PLAN - SIDE AND REAR ELEVATIONS - SITE AND LOCATION PLAN
05/08/2022	002	-	EXISTING AND PROPOSED SIDE ELEVATIONS
05/08/2022	003	-	PROPOSED FLOOR PLAN
05/08/2022	004	-	PROPOSED FRONT, SIDE AND REAR ELEVATIONS
27/02/2023	KRS.0698.001.R.001.A	-	Flood Risk Assessment by KRS Enviro reference:KRS.0698.001.R.001.A - dated February 2023.

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: K Foster

Date: 10 March 2023

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 an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

- 2 EA comments

- 3 Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

4

Breeding Birds

Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds. If such works do occur in this period a qualified ecologist should be available to advise the developer / contractors if breeding birds and / or nests are found.