

**APPLICATION NO:** 22/00750/FUL      **CASE OFFICER:** Andrew Hunt

**WARD:** Northwood      **PARISH:**

**LOCATION:** Coloustyle House, Lees Road, Knowsley Industrial Park  
Kirkby, Knowsley, L33 7SE

**PROPOSAL:** ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSIONS,  
REVISED PARKING PROVISION INCLUDING THE CONSTRUCTION  
OF AN ADDITIONAL 30NO. PARKING SPACES TOGETHER WITH  
PART RE-CLADDING AND RENDERING TO EXISTING BUILDING  
AND OTHER ASSOCIATED WORKS

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### **Site Description**

The application site is a large industrial site on Lees Road situated within a large business park. There is a large office building facing towards Lees Road with the rest of the site being hardstanding. The office building and site are currently in a run-down state with overgrown vegetation around the edges of the site. There is also a building to the northeast of the site.

### **Proposal**

The proposal is for the erection of single storey side and rear extensions, revised parking provision including the construction of an additional 30no parking spaces together with part re-cladding and rendering to existing building and other associated works. The existing building is 439sqm with the extension proposed 243sqm creating a total of 682sqm.

### **Consultations**

Environmental Health – No objection subject to conditions in relation to contaminated land, fixed plant noise, construction management plan and construction hours and informatives.

Highways – The proposed parking meets parking standards. Conditions are required in relation to cycle parking and a travel plan and an informative in relation to highways works.

Health and Safety Executive - HSE does not advise on safety grounds, against the granting of planning permission in this case.

### **Representations**

This application has been publicised by letters sent to 20 neighbours. No comments have been received.

## **Planning History**

An application was recently approved at the site for changes to the existing building and single storey extension, (22/00468/FUL – approved 6/12/2022).

## **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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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  
CS11 - Principal Regeneration Area - Knowsley Industrial and Business Parks  
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**

### **Principle of Development**

Core Strategy Policy CS4 States that Land for employment development will be made available to ensure that at all times there is a sufficient range of available and deliverable sites and premises by size, location, type and suitability to meet the needs for employment development over the following five-year period.

The application is for Class E (Office Use), this is acceptable in principle, however in order to prevent inappropriate uses from taking place at the site, a condition is required to restrict the use to offices only.

Overall, the application is in accordance with this part of Policy CS4.

### **Design**

The existing building has a run-down appearance. The extension would improve the appearance of the building when viewed from the streetscene. In their design and access statement, the applicant has provided images of potential materials and colours, it is considered that these or similar materials would be appropriate for the site context and would improve the appearance of the building. A condition is attached to require details of materials to be submitted and agreed.

### **Amenity**

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

The proposals would not materially affect neighbouring/business premises as the extension would not be close to any neighbouring premises. However, conditions will be attached to limit fixed plant noise levels to protect neighbouring occupiers against excessive noise. Conditions to restrict construction hours and for a construction management plan are unnecessary due to the proposals minor scale and location within an industrial area.

### **Highway Safety**

NPPF para 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application provides sufficient parking spaces for vehicles. however, conditions are required in relation to cycle parking. The application would not result in harm to

highway safety. This is supported by the views of the councils' highways department who have no objection to the proposal subject to conditions. A condition to require a travel plan is unnecessary due to the proposals minor scale.

### **Conclusion**

The proposal would be acceptable in principle and in relation to Amenity and highways safety. The application complies with local planning policies and is recommended for approval.

### **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 following approved plans and documents :-

- a. Proposed Site Plan 102 (received 26/01/2023)
- b. Proposed Elevations 202 (received 26/01/2023)
- c. Transport Statement CT/210682/TS/02 (received 02/12/2022)
- d. Design and Access Statement (received 02/12/2022)
- e. Phase 1 Geo Environmental Survey - 15-277-R1-2 - (received 02/12/2022)
- f. Private Drainage Standard Details - (received 02/12/2022)
- g. Levels Plan - (received 02/12/2022)
- h. Road Longitudinal Sections - (received 02/12/2022)
- i. Road Setting Out - (received 02/12/2022)
- j. Sewer Longsections - (received 02/12/2022)
- k. Manhole Schedule - (received 02/12/2022)
- l. Outline Drainage Strategy - (received 02/12/2022)
- m. 100 Year and 40CC - (received 02/12/2022)
- n. SW Network 30 Year - (received 02/12/2022)
- o. SQ Network 1 Year - (received 02/12/2022)
- p. Proposed Roof Plan 1099 - (received 02/12/2022)
- q. Proposed First Floor Plan 1003 - (received 02/12/2022)
- r. Proposed Ground Floor Plan 1001 - (received 02/12/2022)
- s. Location Plan 100 - (received 02/12/2022)

Reason: For the avoidance of doubt.

## **Pre Commencement**

### **3) Contaminated Land**

#### **A. Risk Assessment**

No development 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. This assessment must 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 to by the Local Planning Authority.

Reason: In order to protect human health from contamination.

4) **Materials**

No works shall take place above slab level until details of materials (including proposed colours) have been submitted to and agreed by, the local planning authority. The works shall be carried out in accordance with the agreed details and retained hereafter.

Reason: In order to ensure an acceptable appearance for the dwelling.

**Pre Occupation**

5) **Cycle Parking**

No development shall not be occupied until a scheme for the provision of cycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Council as 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, cycle parking must be covered and offer a means to secure the cycles.

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.

6) **Electric Vehicle Charging Points**

The development shall be occupied until 6 outdoor, weatherproof electric vehicle charging points readily accessible from dedicated parking spaces have been provided for the building.

The chargepoints shall be:

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

The EV charging point shall be clearly marked as such and their purpose explained to new occupants in any travel plan.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and NPPF Para 112.

## Ongoing Conditions

### 7) Fixed Plant Noise

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: In the interests of residential amenity and to comply with Policy CS19 of the Knowsley Local Plan, adopted January 2016 and saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006

8) Office Use

The building being extended (as part of the current application) shall be used solely as an office use and for no other purpose, including within Class E.

Reason: In order to prevent inappropriate uses at the site.

**Signed Case Officer<sup>1</sup>:**

## Andrew Hunt

**Signed Authorising**  
**Officer<sup>2</sup>:**

**K Foster**

Date:

**14 March 2023**

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

## **Informatives**

### **1) Phase 1 Contamination Report**

- a. The proposed development and red line planning boundary differs from that described within the Desk Study. We advise that any site investigation will need to be designed, taking into account any approved scheme. It would be prudent to agree the scope of any works in advance with the Local Planning Authority.
- b. The Phase 1 Report is missing Appendix V Historical Maps and the Envirocheck report and these should be forwarded for completeness of our records.

### **2) Highways – Section 171**

S171: 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 does not negate the need for the submission and approval of highway engineering details for inclusion in an agreement under S171 of the Highways Act 1980. The applicant is advised to contact the site development team, email: [SiteDevelopment@knowsley.gov.uk](mailto:SiteDevelopment@knowsley.gov.uk) to discuss the matter further.

## Appendix 1 – Site Photographs

