



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00412/FUL

Name and address of applicant

Northwest Education and Training
Limited
C/o Agent

Name and address of agent

Eden Planning & Development Ltd
Studio 5, Jackson House
Sibson Road
Sale
Manchester
M33 7RR

Date of Receipt: 5 July 2022

Date Valid: 8 July 2022

Address/Location Of Development:

Land At Ainsworth Lane (Adjacent To Flogas)
Knowsley Business Park
Knowsley

Description of Development:

**CHANGE OF USE OF LAND TO FORM HGV TRAINING AND TESTING CENTRE
INCLUDING THE ERECTION OF 1 NO. SINGLE STOREY BUILDING, WIDENING
OF EXISTING VEHICULAR ACCESSES AND OTHER ASSOCIATED WORKS**

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

3. Permission for the portable type building associated with the approved use is for a limited period only. All aspects of the building shall be removed within 5 years of the approval of this permission.

Reason: To enable for a temporary period facilities in association with the proposed operational requirements of the use permitted and to enable the Local Planning Authority to re-assess the proposal on expiry having regard to the temporary nature of the structure and in accordance with the National Planning Policy Framework (2021), Policies CS2 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.

4. Contaminated Land

- a. A Phase I site investigation shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development in order to establish whether there are any concerns of contamination from the current or previous use of the site or adjacent sites. This report shall include the results of a desk study, site walkover, and human health and environmental risk assessment.
- b. If identified as necessary by the desk study a Phase 2 site investigation and remediation proposals shall be submitted for approval prior to works commencing. In any event the applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site.
- c. A site completion report shall be submitted for written approval prior to occupation confirming that encountered site conditions were as expected and detailing any necessary remedial actions.

Reporting of Unexpected Contamination

- d. 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.

Importation of Soil/Material

- e. 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: To ensure contamination is appropriately identified and a strategy is in place before works commence on the site to prevent pollution in the interests of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. No part of the development shall be occupied until the site access junctions have been implemented in accordance with the approved plans. The accesses shall be kept available for use at all times.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with the National Planning Policy Framework (2021) and Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

6. Any gate or other form of barrier across the access / egress shall remain open at all times during operational hours.

Reason: To permit vehicles to pull clear of the carriageway when entering the site, in the interests of highway and pedestrian safety and to comply with the National Planning Policy Framework (2021) and Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

7. The development hereby permitted shall not be occupied until the cycle and motorcycle parking provision has been provided, in accordance with the approved details and shall be retained as such thereafter at all times that the use is in operation.

The cycle shelter "Secure Zeus Cycle Shelter" as approved shall be powder coated in a dark colour.

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site and to comply with the National Planning Policy Framework (2021), Saved Policy T7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Ensuring a Choice of Travel SPD (2010).

8. No part of the development hereby permitted shall be occupied until scheme details for the planting of replacement trees has been submitted to and agreed in writing by the Local Planning Authority:

The scheme shall include replacement planting for the 6 no. trees to be lost due to development, identified in the submitted Arboricultural Implications Assessment prepared by Mulberry, dated 29 September 2022 referenced TRE/ALK and shall include:

- i. Replacement tree planting at minimum of 5 trees at 10 - 12 cm girth.
- ii. An outline specification for ground preparation.
- iii. The proposed arrangements and specifications for initial establishment.
- iv. Maintenance and longer-term maintenance of all planted areas.

The approved scheme shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development. Any tree 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. The development shall be fully constructed in accordance with the approved scheme in accordance with timescales contained therein.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2021), National Design Guide (2021), Policies CS2, CS19 and CS21 of the Knowsley Local Plan Core: Strategy, adopted January 2016 and Saved Policies EC3 and DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

9. At least five days written notice shall be given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in the Arboricultural Method Statement prepared by Mulberry dated 29 September 2022 referenced: TRE/ALK 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 the National Planning Policy Framework, Policies CS2, CS8, CS19 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016, saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Trees and Development SPD (2016).

10. Prior to the occupation of the development hereby permitted details of 2 no. Electric Vehicle Charging Points readily available from a dedicated parking space, shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the charge points shall be:

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

The EV charging points shall be clearly marked as such and the works shall be implemented and made available for use in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.

Reason: In the interests of air quality, promoting sustainable travel opportunities and to comply with the National Planning Policy Framework (2021) and Policies CS2, CS7, CS19 and CS22 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

11. Notwithstanding the detail on the approved layout plan, prior to the first occupation of the development hereby permitted, precise scheme details of the waste storage facilities and details of the facilitation for the collection of waste and recycling from the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include but not be limited to:

- i. Details of the type / size of the waste containers;
- ii. Elevational details of the enclosure, including materials and colour / finish; and
- iii. Detail of containers for waste and recycling;

The waste storage / collection facilities shall be constructed and implemented in accordance with the approved details before the first occupation of the development hereby permitted and maintained thereafter at all times that the development is occupied.

Reason: In the interests of ensuring the provision and availability of adequate waste storage and facilitation of collection; visual amenity and to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 Saved Policy EC3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy WM 9 of the Joint Waste Local Plan (2013).

12. Prior to the installation of the fencing and gates hereby permitted they shall be painted or powder coated to match the existing fencing / gates and maintained as such at all times.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework, Policies CS2 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.

13. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any order revoking and re-enacting that order with or without modification, the use hereby approved shall only be for a HGV Training and Testing Centre and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) shall not be used for any other purpose without the express written consent of the Local Planning Authority first being obtained.

Reason: To enable the Local Planning Authority to ensure control is retained over the use of the development site in the interests of safeguarding existing employment land having regard to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006.

14. Prior to any external lighting being installed on the development site, precise scheme details shall first be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt, the details of any lighting scheme shall include, but not be limited to:

- A site layout indicating positions.
- A detailed description and precise details of the type of lighting.
- Details of isolux and luminosity details which shall be designed so that the lighting does not result in excessive light spill onto the highway or adjacent sites.

The scheme shall subsequently be implemented and retained thereafter only in accordance with the approved details.

Reason: To ensure the development is safe and convenient for future users and in order to minimise the effect of lighting on the surrounding highway network and neighbouring sites and to comply with the National Planning Policy Framework (2021), Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies ENV3 and EC3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
05/07/2022	A DR 000	REV. A	SITE LOCATION PLAN
15/11/2022	A DR 002	REV. H	PROPOSED SITE PLAN
05/07/2022	A DR 003	REV. A	PROPOSED PLANS & ELEVATIONS
15/11/2022	A DR 004	REV. D	BOUNDARY TREATMENT PLAN
15/11/2022	2792-F01	REV. D	PROPOSED SITE ACCESS PLAN
30/09/2022	-	-	SHELTER SOLUTIONS SECURE ZEUS CYCLE SHELTER
03/10/2022	TRE/ALK	-	ARBORICULTURAL IMPLICATIONS ASSESSMENT - MULBERRY 29 SEPTEMBER 2022
03/10/2022	TRE/ALK	-	ARBORICULTURAL METHOD STATEMENT - MULBERRY 29 SEPTEMBER 2022

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance: -

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

SD1 - Sustainable Development

CS1 - Spatial Strategy for Knowsley

CS2 - Development Principles

CS7 - Transport Networks

CS8 - Green Infrastructure

CS11 - Principal Regeneration Area - Knowsley Industrial and Business Parks

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

CS24 - Managing Flood Risk

CS26 - Waste Management

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

EC2 - Sites Allocated for Employment Development

EC3 - Primarily Industrial Areas

T7 - New Development and Walking & Cycling Routes

DQ2 - Security in the Built Environment

DQ4 - Trees and Development

ENV2 - Noise and Vibration

ENV3 - Light Pollution

ENV4 - Hazardous Substances

ENV5 - Contaminated Land

The Joint Merseyside and Halton Waste Local Plan 2013

WM8 - Waste Prevention and Resource Management

WM9 - Sustainable Waste Management Design and Layout of New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

Design Quality in New Development SPD (2016)

Trees and Development SPD (2016)

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (Maxine Wishart on 0151 443 2381)

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.

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached then you will be liable to a breach of condition notice.

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

- 1) The comments of Merseyside Fire and Rescue Authority in their letter dated 28 July 2022 (attached)
- 2) It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com



Executive Director - Regeneration and Economic Development

Date: 29 November 2022

IMPORTANT NOTES FOR YOUR ATTENTION:

- 1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.**
- 2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.**
- 3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.**
- 4. A fee is normally payable to discharge planning conditions in accordance with government regulations.**
- 5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.**
- 6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Knowsley MBC
Planning Department
Municipal Buildings
Archway Road
Huyton
L36 9YU

Email:
dcconsultations@knowsley.gov.uk

Merseyside Fire & Rescue Authority
Community Fire Protection
Planning & Building Regulations Team
Service Headquarters
Bridle Road
Bootle
Merseyside
L30 4YD

Telephone: 0151 296 6590 (Calls may be recorded)
Inspecting Officer: Alison Harrison
Email: planningandbuildingregulationsteam@merseyfire.gov.uk
web Site: www.merseyfire.gov.uk

Your ref: 22/00412/FUL

Our ref:00502070/924543/AH/CS

Date:28 July 2022

Dear Sir/Madam,

THE TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION NUMBER REF: 22/00412/FUL
PROPOSAL: CHANGE OF USE OF LAND TO FORM HGV TRAINING AND TESTING
CENTRE INCLUDING THE ERECTION OF 1 NO. SINGLE STOREY BUILDING
WIDENING OF EXISTING VEHICULAR ACCESSES AND OTHER ASSOCIATED
WORKS
ADDRESS: LAND AT AINSWORTH LANE (ADJACENT TO FLOGAS) KNOWSLEY
BUSINESS PARK KNOWSLEY L34 9EU

The Fire Authority requests that any decision notice includes the following information;

The plans relating to the above application have been examined and below are the Fire Authority's observations:

- * Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations.
- * Water supplies for firefighting purposes should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.

Industry

The water supply infrastructure to any industrial estate should be as follows with the mains network on site being normally at least 150 mm nominal diameter—

Up to one hectare 20 litres per second.
One to two hectares 35 litres per second.
Two to three hectares 50 litres per second.
Over three hectares 75 litres per second.

- * The premises should comply with Section 55 of the County of Merseyside Act 1980

Should you require any further information in respect of this correspondence please contact the Officer named above.

Yours faithfully,

A handwritten signature in black ink that reads "Alison Harrison". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Alison Harrison

Authorised Fire Safety Inspecting Officer

And on behalf of Merseyside Fire and Rescue Authority

Guidelines on flow requirements for firefighting

The following flows represent the ideal requirements on new developments and during permanent system changes.

Housing

Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Transportation

Lorry/coach parks - multi-storey car parks - service stations.

All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any single hydrant on the development or within a vehicular distance of 90 metres from the complex.

Industry

The water supply infrastructure to any industrial estate should be as follows with the mains network on site being normally at least 150 mm nominal diameter—

Up to one hectare 20 litres per second.

One to two hectares 35 litres per second.

Two to three hectares 50 litres per second.

Over three hectares 75 litres per second.

Shopping, offices, recreation and tourism

Commercial developments of this type should have a water supply capable of delivering a minimum flow of 20 to 75 litres per second to the development site.

Education, health and community facilities

Village halls— Should have a water supply capable of delivering a minimum flow of 15 litres per second through any single hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary schools and single storey health centre's— Should have a water supply capable of delivering a minimum flow of 20 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

Secondary schools, colleges, large health and community facilities— Should have a water supply capable of delivering a minimum flow of 35 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.