

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 22/00738/FUL

CASE OFFICER: Andrew Hunt

WARD: Halewood South

PARISH: Halewood
Town Council

LOCATION: Halewood Services, 195 Higher Road, Halewood, Knowsley, L26 1UN

PROPOSAL: DEMOLITION OF EXISTING CAR WASH, JET WASH AND PLANT ROOM TOGETHER WITH THE INSTALLATION OF 3 NO. JET WASH BAYS, LV PANEL AND SUB STATION AND THE CREATION OF AN ELECTRIC VEHICLE CHARGING ZONE INCORPORATING THE ERECTION OF 6 NO. ELECTRIC VEHICLE CHARGERS AND CANOPY

Site Description

The application site is a petrol station on the north side of a busy main road (Higher Road - A562). There are dwellings immediately to the northwest north east and south east and dwellings opposite to the south west. The site currently comprises a petrol station, shop, electric vehicle chargepoints and car wash.

Proposal

Demolition of existing car wash, jet wash and plant room together with the installation of 3 no jet wash bays, LV Panel and substation and the creation of an electric vehicle charging zone incorporating the erection of 6 no electric vehicles chargers and canopy.

Consultations

Arboricultural Officer – No objection providing that the Arboricultural Reports are made approved documents, and a condition for 5-days' notice for the erection of tree protective fencing.

Environmental Health – Environmental Health has reviewed the information submitted and we have no objections to this application. Concerns were raised with regards to the potential noise levels, due to the installation of 3 jet wash bays. Further monitoring was carried out by Sound Solution consultants, in the presence of an officer from Knowsley Councils Environmental Health team. The subsequent report compared the existing levels to the proposed levels and determined that the development would result in lower overall sound levels. We are satisfied with the report. Conditions are required in relation to contaminated land, fixed plant noise, jet wash operational times, construction specification, Noise Barrier, construction management plan, construction hours and a lighting scheme.

Highways – No Objection.

Merseyside Fire and Rescue - All works on the site should take account of the guidance contained within the Design, Construction, Modification, Maintenance and Decommissioning of Filling stations (ISBN 085293 419 X) published by the Association for Petroleum and Explosives Administration.

United Utilities – Sustainable drainage is required. Where United Utilities’ assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Representations

This application has been publicised by letters sent to 64 neighbours. 3 Objections have been received consisting of the following main points:

- Concerned about radiation from the substation and electric vehicle charging points.
- Effect on wildlife and plants in my back garden.
- The proposal will generate noise and light pollution.
- Approving this would go against net zero targets.
- The residents have not been consulted.
- Construction impacts will cause disruption to residents.
- The proposal will increase existing litter problems.
- Our wooden fence would provide inadequate security and privacy next to the site.
- This would be better elsewhere as we are already disturbed by the garage selling alcohol at all hours.

Planning History

Numerous applications have been approved at the site; however, these are not directly relevant to the current proposal.

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

CS19 - Design Quality and Accessibility in New Development

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

H5 - Primarily Residential Area

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 used currently as a petrol station with parking for the retail store to the north. The addition of a jet wash bays, substation and ev chargers etc to the site would be ancillary to, and compatible with, the existing petrol station at the site. Therefore, the application is considered acceptable in principle.

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.

In relation to the physical impact of the structures, these would not result in significant loss of light or outlook to any neighbouring dwellings.

In relation to noise impacts, extensive noise reports have been submitted with the

application which demonstrate that there would not be a significant noise impact on nearby residents. Further monitoring was carried out by the applicant's noise consultants, in the presence of an officer from Knowsley Councils Environmental Health team. The conclusion of this is that the development would result in lower overall sound levels than the existing site.

To limit construction impacts on neighbours, a construction management plan and construction hours will be required by conditions.

Overall, provided conditions are attached in relation to jet wash hours and other matters there would be no harm to amenity from the proposal.

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 proposal would not result in harm to highway safety as the main elements are away from the main road at the rear of the site. As a result, there would not be material harm to highway safety from the proposal. This is supported by the views of the council's highways department who have no objection to the application.

Trees

The application would not cause harm to trees provided 5 days' notice is given of protective fencing. This is supported by the views of the council's arboricultural officer.

Other Considerations

In relation to sustainable drainage, the proposal is a minor development in scale and would not warrant a requirement for a sustainable drainage scheme.

The substation and electric vehicle charging points will not cause radiation. Electric Vehicle charge points are relatively common within residential areas.

The use of electric vehicles is important to the achievement of net zero and the development would align with this objective.

There would be no harm to wildlife or plants from the proposal.

Conclusion

The proposal would be acceptable in principle and in relation to neighbour amenity, highways and trees. 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. Noise addendum Statement (received 8/11/2023).
- b. Sound Information Note (received 21/06/2023).
- c. Noise Impact Assessment (received 30/03/2023).
- d. Tree Survey (received 01/02/2023).
- e. Proposed Site Plan (received 01/02/2023).
- f. Site Location Block Plan (received 29/11/2023).
- g. Proposed Jetwash Elevations (received 29/11/2023).
- h. Proposed Substation Elevations (received 29/11/2023).
- i. Proposed Electric Vehicle ChargePoint Elevations - (received 29/11/2023).

Reason: For the avoidance of doubt.

- 3) Lighting Scheme

Prior to the commencement of development, a lighting scheme which includes the steps necessary to minimise light intrusion to local dwellings shall be submitted for the written approval of the local planning authority. The scheme shall ensure that the obtrusive light limitations suggested in the relevant guidance are met.

All works which form part of the scheme shall be completed prior to operation and shall be maintained thereafter in accordance with the agreed scheme.

Reason: to avoid harm to residents from bright lighting.

- 4) Construction management plan

Prior to commencement of construction, a scheme for the control of noise and dust from site operations and to prevent the transfer of mud out of the site shall be submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be implemented while construction works are ongoing.

Reason: To avoid harm to residents from noise and dust.

- 5) Trees – 5 Day Notice

Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

6) Noise Barrier

Prior to the installation of the noise barrier, as detailed in the Sound Solution Consultants Noise Impact Assessment, reference 39004-R2, the specific height and build specification of the barrier shall be submitted to and agreed in writing with the LPA.

Reason: In order to avoid harmful noise to neighbouring properties.

7) Construction Hours

No works associated with this development 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 without the prior written permission of the Local Planning Authority.

Reason: In order to protect residents from noise and disturbance at night time.

8) Jet Wash Hours

The Jet Wash facilities hereby approved shall not be used outside the following hours:

- 08:00 – 20:00.

Reason: In order to protect residents from noise and disturbance at night time.

9) 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 order to avoid harmful noise to neighbouring properties.

Signed Case Officer¹:

Andrew Hunt

**Signed Authorising
Officer²:**

K Foster

Date:

24 November 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) Contamination

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.

2) United Utilities

Where United Utilities' assets cross the proposed red line boundary, developers must contact Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. DeveloperServicesWater@uuplc.co.uk