

REGENERATION AND ECONOMIC DEVELOPMENT DEPARTMENT

APPLICATION NO: 21/00884/FUL

APPLICANT: CNG Fuels Ltd

WARD AFFECTED: Prescot North

DEVELOPMENT: VARIATION OF CONDITION NO. 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 18/00578/FUL (ERECTION OF HGV COMPRESSED NATURAL GAS FUEL FILLING STATION AND ASSOCIATED WORKS) TO ALLOW FOR CHANGES TO THE INTERNAL SITE LAYOUT INCLUDING RE-CONFIGURATION OF FUEL PUMP ARRANGEMENTS, RE-LOCATION OF GAS METER SKID, INTERNAL RE-CONFIGURATION OF EQUIPMENT COMPOUND, AND INSTALLATION OF CCTV AND FLOODLIGHTS (INCLUDING SOME RETROSPECTIVE ASSOCIATED WORKS).

LOCATION OF SITE: Yard 2C, Saturn Park, School Lane, Knowsley Business Park, Knowsley, L34 9J

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Industrial Area

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS4 - Economy and Employment

CS7 - Transport Networks

CS11 - Principal Regeneration Area – Knowsley Industrial and Business Parks

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspace and Trees

CS23 - Renewable and Low Carbon Infrastructure

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

EC3 - Primarily Industrial Areas

DQ4 - Trees and Development

ARTICLE 35

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.

PLANNING HISTORY

A previous application (which the current application seeks to vary) for the erection of HGV compressed natural gas fuel filling station was approved, (18/00578/FUL – approved 30/04/2019).

TECHNICAL CONSULTATIONS:

Environment Agency –No objection to the variation.

Environmental Health – No Objection.

Health and Safety Executive – No objection

Highway Authority - No objection. The site access is to remain the same and it has been shown through tracking that the site can still be safely manoeuvred within by 16.5m HGVs. Request and informative.

Merseyside Fire and Rescue – No objection subject to informative.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 17 neighbours. 1 Objection has been received from Town Councillor Milne consisting of the following main points:

- The application appears to be suggesting two amendments
- The Approved Site Plan (2) does not appear to show the original site of the Inlet Gas Meter?
- The statement above, and the site of the pipeline on the APS, suggests the meter would have been on the East Lancashire Road.
- The new plan appears to site the meter on School Lane next to the sites own, Scottish Power Substation.
- If this is the case, I wish to formally to raise an objection to these amendments and would challenge the suggestion these changes are “minor”.
- Designing the site so the main gas supply, is immediately adjacent, the main electric supply, seems totally unnecessary at the planning stage.
- With the company’s proud wealth of knowledge, one would hope, a safer solution to a reduced turning circle could be found, than to increase the risk profile of the site in this manner.

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for a Variation of condition 2 (Approved Plans) attached to planning permission 18/00578/FUL.

POLICY CONSIDERATIONS

The proposal would not change the use of the site which was found to be appropriate in the original application. As a result, the principle of the development is considered to be acceptable.

The application complies with policies CS2,, CS4, CS11, CS21, CS23 of the Knowsley Core strategy, policies EC3 and DQ4 of the Unitary Development Plan and the NPPF.

AMENITY

The proposal would not be in close proximity to any residential properties. Therefore, there would not be any harm to the amenity of residents. The changes proposed are minor and would not affect neighbouring business occupiers. This view is supported by the council’s Environmental Health department, who have no objection to the application. The application complies with Core Strategy policy CS7.

HIGHWAYS

The site access is unchanged from the previously approved application and there is sufficient turning spaces demonstrated to enable the safe turning of vehicles. This is supported by the views of the council's highways department who have no objection to the application. Therefore, there would be no harm in relation to highway safety from the proposal. The application complies with Core Strategy policy CS7.

ENVIRONMENTAL BENEFITS

The scheme is for infrastructure to support low carbon vehicles. Gas fuel is a renewable resource and leads to significantly lower levels of air pollution than equivalent diesel or petrol vehicles. The development would reduce carbon emissions and would accord with the council's objectives and priorities in relation to air quality. This is considered to be a significant benefit of the scheme. The application complies with Core Strategy Policy CS23.

OTHER CONSIDERATIONS

In relation to the proximity of the relevant gas and electricity infrastructure. This is a safety matter which is covered separately from the planning process by relevant safety regulations. It would therefore not be a matter for consideration under the current application.

CONCLUSION

The proposal is acceptable in principle and would not cause harm in relation to neighbour amenity, or highway safety. The application complies with local planning policies and 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.

Reason: For the avoidance of doubt.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
08/12/2021	21402/TW/CB	-	Cover Letter
07/12/2021	-	A	Vehicle Tracking
07/12/2021	-	A	Proposed Site Plan
07/12/2021	-	A	Proposed Elevations 1
07/12/2021	-	A	Proposed Elevations 2
04/09/2018	TC87/T00	-	Topographical Survey
04/09/2018	2018/TC/750	-	Transport Assessment
04/09/2018	P6745/18/02	-	Drainage Investigations
04/09/2018	-	-	Location Plan
04/09/2018	006/01/IR/103	B	Site Boundary including gas pipeline
04/09/2018	006/01/IR/100	B	Site Boundary

22/10/2018	-	-	Additional info on cadent pipeline
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Informatives

1) Stopping Up of Existing Highway

No development shall take place across the public highway that exists over part of the land before formal action has been finalised to extinguish the public highway to the satisfaction of the Council as Local Planning Authority. The applicant is advised to contact the National Transport Casework Team on 0191 203 4262 / 0191 203 4272 or by email: nationalcasework@dft.gsi.gov.uk Further guidance can be found at: <https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways> Application for "minor works on/adjacent to the public highway" (Highways Act 1980, Section 171 Licence).

Before any minor works are carried out on or adjacent to the public highway, a licence which permits minor works on or adjacent to the highway to be carried out with the approval the local Highway Authority is required to be obtained. The licence is commonly referred to as a 'Section 171' and is issued under the Highways Act 1980 (Section 171) Road Traffic Regulations Act 1984 (Section 65) and Environment Protection Act 1980 (Section 34).

2) Cadent Gas

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land.

The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588.

3) Environment Agency (Permitting)

The applicant should be made aware that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

" on or within 8 metres of a main river (16 metres if tidal)

" on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)

" on or within 16 metres of a sea defence

"involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

"in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if its a tidal main river) and you dont already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities>

environmental - permits or contact our National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest

opportunity.

The applicant could be liable to criminal prosecution under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) should Water vole or their habitat be disturbed.

4) Merseyside Fire and Rescue – See letter

Andrew Hunt

13 January 2022

Alan Kilroe
13 January 2022