



**Knowsley Council**

**REGENERATION AND ECONOMIC  
DEVELOPMENT DEPARTMENT**

**TOWN AND COUNTRY PLANNING ACT 1990**

## **REFUSAL OF PLANNING PERMISSION**

**Application No: 22/00440/FUL**

**Name and address of applicant**

Miss Linda Marston  
34 Abbotsbury Way  
Liverpool  
L12 0PF

**Name and address of agent**

McGovern Architectural Design  
1E Cranleigh Road  
Gateacre  
Liverpool  
L25 2RP

**Date of Receipt:** 14 July 2022

**Date Valid:** 15 July 2022

**Address/Location Of Development**

**Land To Rear Of 113 Tarbock Road  
Huyton  
Knowsley  
L36 5TE**

**Nature And Particulars Of Application**

ERECTION OF 1NO. DETACHED DWELLING (RETROSPECTIVE APPLICATION FOR CHANGES MADE DURING THE CONSTRUCTION PHASE TO PREVIOUSLY APPROVED APPLICATION 20/00282/REM PURSUANT TO OUTLINE PERMISSION 18/00530/OUT)

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **refused** for the carrying out of the development referred to above for the following reasons: -

1. The size, scale and massing of the proposed dwelling would be dominant and disproportionate addition to the plot in which it sits, causing significant harm to the character and appearance of the area. The development is therefore contrary to Core Strategy policies CS19, UDP policy H5, the New Residential Development SPD, and NPPF para 130.
2. The development would cause significant harm to the amenity of neighbouring occupiers. The development would also lead to severe loss of light and outlook to no 4 The Park, by causing substantial loss of light to a main habitable room window, to

the detriment of their amenity. The development would also lead to a significant loss of privacy for the occupiers of 115 Tarbock Road from the proposed balcony. The development is therefore contrary to Core Strategy policy CS19, UDP policy H5, the New Residential Development SPD, and NPPF para 130.

### **ARTICLE 35 STATEMENT**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

**Executive Director - Regeneration and Economic Development**



**Date: 7 October 2022**

## **IMPORTANT NOTES FOR YOUR ATTENTION:**

### **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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months 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.