Knowsley Council

DIRECTORATE OF PLACE
TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 00/00133/FUL

Name and address of applicant

Lowry Homes
Lowry House
1 Denmark Street
Altrincham
Cheshire WA14 2SS

Name and address of agent

David Kirby Achitects
Anson House,
25 Anson Street,
Liverpool,Merseyside
L3 5NY

Date of Receipt: 9 March 2000

Date Valid: 9 March 2000

Address/Location Of Development:

Lowry Homes Land At
Leeside Avenue
Southdene
Kirkby
Knowsley
L32 9QX

Description of Development:

SUBSTITUTION OF HOUSE TYPES COMPRISING ONE PAIR OF SEMI DETACHED HOUSES (PLOTS 53,54)

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 five 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.

2. No part of the development hereby permitted shall be commenced until details of the proposed external facing materials to be used on walls and roofs have been

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenity.

3. Notwithstanding the car parking spaces as shown for plots 53 and 54 on the external works plan referenced Drawing No. 105A received 9 March 2000 a scheme for the in-curtilage parking of 2 No. cars for each dwelling shall be submitted to and approved in writing prior to the commencement of the development hereby permitted. Each space shall have minimum dimensions of 5m x 2.5m.

Reason: To ensure that both plots have adequate in-curtilage parking in the interests of highway safety.

4. The development hereby permitted shall not be brought into use until the car parking spaces required in condition 2 of this planning permission have been surfaced and laid out in accordance with the approved details and these spaces shall thereafter be made available for these purposes at times that the development hereby permitted is on site.

No part of the development hereby granted permission shall be commenced until the approval of the Local Planning Authority has been obtained for the detailed design of a scheme to provide the satisfactory disposal of surface water run-off from the development; and such scheme as approved shall be carried out before the proposed development is first brought into use.

Reason: To ensure that surface water run-off from the development will not adversely affect nearby land by reason of flooding.

5. Notwithstanding the provisions of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order) no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be placed or erected in front of the forwardmost part of any wall of a building which fronts on to or bounds a highway, carriageway or footpath without a further specific planning permission having been sought and obtained beforehand.

Reason: To safeguard the character of this residential development.

6. Notwithstanding the provisions of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order) there shall be no extension, enlargement any building forming part of the development hereby permitted, or a garage, car port or other building or enclosure erected within the curtilage of the site, without a further specific planning permission having been sought and obtained beforehand.

Reason: To safeguard the character of this residential development.

7. The ground levels of the development hereby permitted shall be in accordance with the submitted plan referenced 306/45 received 11 November 1996 as part of planning application APP/96/00526 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of occupiers of dwellings within the residential development.

8. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:-

a. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities per sq m of all new planting;

b. an outline specification for ground preparation;

c. all proposed hard landscape elements and pavings, including layout, materials and colours;

d. the proposed arrangements and specifications for initial establishment maintenance and longer term maintenance of all planted and/or turfed areas.

Notwithstanding the boundary details as shown on the external works plan referenced Drawing No. 105A received 9 March 2000 boundary treatment details shall be submitted to and approved in writing as part of this landscape condition.

The scheme shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of development. Any tree or other planting 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.

Reason: In the interests of visual amenity.

SCHEDULE 1

Date Received	Reference No. on Plan/Report	Version No.

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:-

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 (Lee Osborne on 0151 443 2360)

ARTICLE 31 STATEMENT

The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning applications and have implemented the requirement in NPPF para 187.

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.



Director of Planning and Development

Date: 28 April 2000

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. **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.**

4. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to condition, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form, which is obtainable from the Planning Inspectorate). See address below. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning/authority was based on a direction given by him.

5. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the secretary of state for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Appeal forms and guidance can be obtained from:-

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Telephone: 0303 444 5000