

APPLICATION NO: 23/00075/NMA1 **CASE OFFICER:** Jo Sheridan

WARD: St Gabriels **PARISH:**

LOCATION: Ambulance Station , Huyton Lane, Huyton

PROPOSAL: Non-material amendment following the grant of planning permission 23/00075/FUL for the erection of 53no retirement living apartments (Use Class C3) together with landscaping, car parking and all other associated works to allow for an amendment to condition 18 to change the wording from “Prior to above ground works, full details of the photovoltaic installation shall be submitted to the Local Planning Authority” to “Prior to the occupation of any part of the development, full details of the photovoltaic installation shall be submitted to the Local Planning Authority”

Site Description

The site subject of this non material application relates to former fire station and current ambulance site at Huyton Lane, Huyton. Development has not yet commenced.

Proposal

Condition 18 on planning permission currently reads:

“Prior to above ground works, full details of the photovoltaic installation shall be submitted to the Local Planning Authority. The details shall include full plans and specifications. The agreed details will be implemented prior to the first occupation of any part of the development hereby permitted and maintained and retained thereafter.”

This non material amendment seeks to amend the wording to:

“Prior to the occupation of any part of the development, full details of the photovoltaic installation shall be submitted to the Local Planning Authority. The details shall include full plans and specifications. The agreed details will be implemented prior to the first occupation of any part of the development hereby permitted and maintained and retained thereafter.”

Consultations

No consultations requested.

Representations

The application is for a non material amendment and no publicity was undertaken.

Planning History

23/00075/FUL: Erection of 53no. retirement living apartments (Use Class C3) together with landscaping, car parking and all other associated works.
Planning permission granted 23rd July 2023.

23/00075/NMA: Non-material amendment following the grant of planning permission 23/00075/FUL (Erection of 53no. retirement living apartments (Use Class C3)

together with landscaping, car parking and all other associated works) amendment sought to enlarge the buggy store to incorporate a plant room with louvred door and the access door to the buggy store to be repositioned, corridor rationalisation - removal of corridor by apartment 9, ground floor shoppers entrance to the south east elevation removed and replaced with an automatic opening vent and amendments to windows and additional windows to the south east elevation, removal of trees 10 and 11 and extended footpath linking the main entrance with the vehicular access/egress onto Huyton Lane. Decision pending.

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.

Assessment

The proposed amendment to condition from 'Prior to above ground works...' to "Prior to the occupation..." is proposed. Whilst the applicant agreed to the wording of the planning condition prior to the determination of the planning application they have now requested this amendment. The applicant has previously agreed to the principle of the condition and this non material amendment seeks only to alter the trigger for the submission of the required information. The proposed amendment is considered acceptable in this instance. The proposed development would still accord with Local Plan Core Strategy Policy CS22 'Sustainable and Low Carbon Developments.'

Conclusion

The amendments proposed are minor in nature and seeks only to alter the trigger point for the submission of information. The proposal would comply with local Plan Core Strategy Policy CS22 'Sustainable and Low Carbon Developments.' The application is considered to accord with national and local planning policies and is therefore recommended for approval.

Recommendation

The non material amendment application be granted subject to the following condition:

1. "Prior to the occupation of any part of the development, full details of the

photovoltaic installation shall be submitted to the Local Planning Authority. The details shall include full plans and specifications. The agreed details will be implemented prior to the first occupation of any part of the development hereby permitted and maintained and retained thereafter.

Signed Case Officer¹: **Jo Sheridan**

**Signed Authorising
Officer²:** **K Foster**

Date: **3 May 2024**

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