



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 26/00072/FUL

Name and address of applicant

Taylor Wimpey North West
Washington House
Birchwood Park Avenue
Warrington
WA3 6GR

Name and address of agent

Date of Receipt: 20 February 2026

Date Valid: 20 February 2026

Address/Location Of Development:

Whitakers Garden Centre
Liverpool Road
Prescot
Knowsley

Description of Development:

S73 APPLICATION FOR THE VARIATION OF CONDITIONS 2 (THE DEVELOPMENT HEREBY PERMITTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THE APPROVED PLANS AND DOCUMENTS LISTED IN SCHEDULE 1) AND 16 (THE DEVELOPMENT SHALL BE CARRIED OUT IN FULL ACCORDANCE WITH THE RECOMMENDATIONS OF THE SUBMITTED ARBORICULTURAL IMPACT ASSESSMENT PREPARED BY TEP AND DATED NOVEMBER 2019) ATTACHED TO PLANNING PERMISSION 19/00684/FUL (ERECTION OF 227 NO. DWELLINGS TOGETHER WITH VEHICULAR/PEDESTRIAN ACCESSES, LANDSCAPING & ASSOCIATED INFRASTRUCTURE) TO AMEND LANDSCAPING AND ARBORICULTURAL PLANS TO ALLOW FOR THE REMOVAL / REPLACEMENT OF SELECTED TREES.

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 hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

2. A. Risk Assessment

No development shall take place until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning

Authority. This assessment must be undertaken by a suitably qualified contaminated

land practitioner, in accordance with authoritative guidance (CLR 11), and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include (where relevant):

- i. a survey of the extent, scale and nature of contamination, including a proposed phasing of site investigations to allow the garden centre to remain on site for up to 2 years.
- ii. an assessment of the potential risks to: -
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and
 - service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments.

B. Submission of Remediation Scheme

Where land affected by contamination is found which poses unacceptable risks, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. As a minimum, the scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to its intended use.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

E. Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and

agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials does not result in increased risk to the environment or human health.

F. Importation of Soil/Material

No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

3. The development shall be carried out in full accordance with the recommendations of the Submitted Flood Risk Assessment prepared by Waterco Consultants and dated November 2019.

Reason: To ensure the site is adequately drained.

4. The development shall be carried out in full accordance with the recommendations of the Submitted Arboricultural Impact Assessment prepared by TEP and dated November 2019.

Reason: To ensure the development adequately protects the remaining trees.

5. The development shall be carried out in accordance with the Approved Framework Travel Plan referenced 2595.TP03 and received by the Local Planning Authority on 12 October 2020.

Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable.

6. Prior to the occupation of any dwelling, the recommendations for glazing, ventilation and acoustic fencing, as detailed in Hepworth Acoustics report, reference P19-160 R01-V3, dated July 2020, shall have been implemented. All works shall be retained at all times thereafter.

Reason: To ensure the amenity of the approved dwellings is protected.

7. None of the approved dwellings shall not be occupied until the means of vehicular access shown on plan reference 2940-D001 has been constructed in accordance with the approved plans and the vehicular access from Liverpool Road into the garden centre car park is stopped up to prevent vehicular access.

Reason: In the interests of highway safety and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

8. The parking provision shown within the curtilage of each dwelling on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles and shall be hard surfaced.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
17/03/2026	-	-	Location Plan
20/02/2026	D7523.07.001	-	Arb Addendum V1
20/02/2026	6145.16 r	M	Landscape Masterplan
20/02/2026	6145.10	L	Landscape Proposals
18/09/2020	2940-D001 E	-	GENERAL ACCESS ARRANGEMENT
12/10/2020	GAR12-01	-	TWIN GARAGE PLANS
12/10/2020	GAR21-01 A	-	SINGLE GARAGE PLANS
12/10/2020	PLA-01 G	-	PROPOSED SITE LAYOUT
12/10/2020	SS/01 A	-	STREETSCENES
12/10/2020	6145.08	D	LANDSCAPE PROPOSAL
12/10/2020	6145.09	D	LANDSCAPE PROPOSAL
12/10/2020	6145.11	D	LANDSCAPE PROPOSAL
12/10/2020	6145.12	D	LANDSCAPE PROPOSAL
12/10/2020	6145.13	D	LANDSCAPE PROPOSAL
12/10/2020	6145.14	D	LANDSCAPE PROPOSAL
12/10/2020	6145.15	D	LANDSCAPE PROPOSAL
12/10/2020	SW01 1.8M		HIGH SCREEN WALL
12/10/2020	SW07 2.0M	-	HIGH SCREEN WALL
12/10/2020	SF19 1.8M	-	PERSONNEL GATE
12/10/2020	SF16	-	1.8 – 2.0M ACOUSTIC FENCE
12/10/2020	SF01 1.8M	-	CLOSE BOARDED SCREEN FENCE
12/10/2020	WMP-01	C	WASTE MANAGEMENT PLAN
12/10/2020	MAT-01	F	MATERIALS PLAN
12/10/2020	BTP-01	F	BOUNDARY TREATMENTS
12/10/2020	3 BEDROOM RANGE	A	3 BEDROOM HOUSETYPES
12/10/2020	4 BEDROOM RANGE	A	4BEDROOM HOUSETYPES
19/10/2020	12625	-	FRA AND DRAINAGE STRATEGY
19/10/2020	P19/160/R01/V4	-	NOISE IMPACT ASSESSMENT
19/10/2020	20288-UU-01	B	UU ASSET LOCATION PLAN
19/10/2020	AQ109195	-	AIR QUALITY ASSESSMENT
12/10/2020	2595.TP03	-	TRAVEL PLAN FRAMEWORK
19/10/2020	TA.WG.L34	E	ENERGY STATEMENT
19/10/2020		-	HERITAGE ASSESSMENT
18/12/2019	A107718	-	WHITAKERS REPTILE REPORT_V3
18/12/2019	A107718	-	WHITTAKERS GARDEN CENTRE EA_V3
18/12/2019	A112935	-	WHITAKERS MITIGATION ADDENDUM_ISSUE
18/12/2019	A112935	-	WHITAKERS GARDEN CENTRE_BADGER SIR_V2
18/12/2019	A112935	-	WHITAKERS GARDEN CENTRE_SIR_APRIL2019_V2

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:-

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS8 - Green Infrastructure

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

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

DQ4 Trees and Development

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 (Andrew Hunt on 0151 443 2204)

ARTICLE 35 STATEMENT

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.

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.

A handwritten signature in black ink, appearing to read 'Dale Milburn', with a stylized, cursive script.

Dale Milburn
Executive Director – PLACE

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. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.
4. A fee is normally payable to discharge planning conditions in accordance with government regulations.
5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.
6. 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. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.

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.