



Knowsley Council

**REGENERATION AND ECONOMIC
DEVELOPMENT DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 19/00519/FUL

Name and address of applicant

BDW trading operating as Barratt Homes
Manchester
4 Brindley Road
City Park
Manchester
M169HQ

Name and address of agent

Date of Receipt: 3 September 2019

Date Valid: 11 September 2019

Address/Location Of Development:

Land At Waterpark Drive
Stockbridge Village
Knowsley

Description of Development:

APPLICATION TO VARY CONDITION NO.1 ATTACHED TO PLANNING PERMISSION 18/00177/FUL (APPLICATION TO VARY CONDITION NO.2 ATTACHED TO PLANNING PERMISSION 17/00053/FUL - ERECTION OF 79NO. DWELLINGS TOGETHER WITH ASSOCIATED) - VARIATION TO APPROVED PLANS SOUGHT TO ALLOW FOR AMENDMENT TO AFFORDABLE HOUSING PROVISION AND THE REVISION OF HOUSE TYPE, MATERIALS AND LANDSCAPING TO PLOTS 29-43, 46, 63-68 TOGETHER WITH 2 NO. TEMPORARY PARKING BAYS AND FOOTPATH ACCESS FOR PLOT 2

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. If the sustainable drainage system is not adopted by a public body or statutory undertaker then, within one month of the date of this permission a Management and Maintenance Plan for the sustainable drainage system relating to the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority.

This shall include:

- Details of provision for management and maintenance by a resident's management company.
- A schedule for on-going inspections relating to performance and condition.
- Details for planned maintenance and a mechanism for remedial and urgent repair works.
- Means of access for inspection and maintenance purposes.

The plan shall be implemented and completed in accordance with the agreed timescales contained within it.

Reason: To ensure effectiveness of the flood risk measures during the lifetime of the development and to ensure compliance with policies CS2 and CS24 of the Knowsley Local Plan: Core Strategy (January 2016).

3. Implementation of Approved Remediation Scheme

The remediation scheme approved pursuant to condition 6 attached to planning permission 17/00053/FUL 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.

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.

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: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

4. The landscaping works to the individual dwellings hereby approved shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority. The area of public open space shall be landscaped and laid out in accordance with the approved plans within the first available planting season following the substantial completion of the development. The areas of public open space shall be maintained and managed thereafter in accordance with the approved Landscape

Maintenance and Management Plan

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with the National Planning Policy Framework; Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. 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

6. The mitigation measures recommended in the Noise Impact Assessment prepared by REC (Ref. AC101740-1R3) shall be implemented prior to the occupation of the relevant dwelling. The Noise Impact Assessment details mitigation measures to properties as arranged within drawing 463-PL01 Rev U (Planning Layout). Any change to this plan and consequential requirement for a new noise protection scheme to maintain adequate levels of residential amenity must be submitted and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of residents and to comply with the National Planning Policy Framework; Policy CS2 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy and ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006

7. During the course of the development the temporary protective fencing shown on plan 16/00047 Rev A has been erected and retained in place until the development is complete in accordance with the approved Arboricultural Method Statement; and otherwise in accordance with BS5837:2012; around all existing trees and hedgerows to be retained on site.

No excavation or other works; including trenches, pipe runs for services, or drains; shall be undertaken within the area so fenced, or within the root protection areas as identified in the approved Arboricultural Method Assessment unless expressly agreed in writing by the Local Planning Authority. Furthermore, within the area so fenced or the identified root protection areas, there shall be no storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids at any time during the construction works.

Reason: To ensure the retention and protection of trees and hedgerows within the site in the interests of local amenity and to comply with the National Planning Policy Framework; Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies H5 and DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006

8. Construction work shall not take place outside the hours of 08:00 - 18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

No construction vehicles shall access or egress the site between the hours of 08:15 to 09:00 and 14:30 to 15:30 during school term time.

Reason: To protect the amenity of residents, avoid conflict with school pick-up and drop off times in the interests of highway safety and to comply with the National Planning Policy Framework; Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies H5 and ENV3 of the Knowsley Replacement Unitary Development Plan, adopted June 2006

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1f) and 2 a) - b), or any amendments made to that Order, shall not apply:

- (i) no vehicle standing space shall be provided within the curtilage of the dwellings
- (ii) no gates, walls or fences shall be erected within the curtilage of the dwellings
- (iii) no means of access shall be constructed to the curtilage of the dwellings

unless on application to the Local Planning Authority, planning permission for such development has been granted

Reason: To protect the residential and visual amenities of the area, safeguard the character of this residential development and to comply with the National Planning Policy Framework; Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

10. The path through the public open space shall be lit to ILP standards with the lighting column being accessible and maintainable in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the installation of the lighting column. The lighting column shall be installed prior to the first use of the public open space and retained in accordance with the approved details at all times thereafter.

Reason: In the interests of residential amenity and public safety and to ensure compliance with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies DQ2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
11/09/2019	463-P-BTL01	R	BOUNDARY TREATMENT PLAN
11/09/2019	463-P-HLL01	K	HARD LANDSCAPING LAYOUT
11/09/2019	463-P-ML01	U	MATERIALS LAYOUT
11/09/2019	463-P-PL01	X	PLANNING LAYOUT
11/09/2019	463-P-RSL01	M	REFUSE STRATEGY LAYOUT
23/11/2018	-	-	SW DRAINAGE SCHEME
09/08/2018	-	-	LANDSCAPING SCHEDULE
09/08/2018	-	-	LANDSCAPE MANAGEMENT
09/08/2018	WDSV20	D	REVISED OPEN SPACE LAYOUT
09/08/2018	AREA 7	F	LANDSCAPE LAYOUT
09/08/2018	AREA 5	E	LANDSCAPE LAYOUT
09/08/2018	WDSSV1	F	LANDSCAPE MASTER PLAN
09/08/2018	WDSV8 AREA 6	D	LANDSCAPE LAYOUT
09/08/2018	WDSV6 AREA 4	C	LANDSCAPE LAYOUT
09/08/2018	WDSV3 AREA 1	E	LANDSCAPE LAYOUT
09/08/2018	-	-	PLANTING SCHEDULE
06/08/2018	OIJ70-2129	-	KISSING GATE DETAIL
06/08/2018	-	-	LOCKABLE GATE
06/08/2018	-	-	K BARRIER
06/08/2018	ED/20	B	SECTIONS
06/08/2018	ED/11/1K	-	EXTERNAL LEVELS
14/03/2018	LP01	-	LOCATION PLAN
25/06/2017	AC101740-1R3	-	NOISE IMPACT ASSESSMENT
25/01/2017	16/00047	A	TEMPORARY FENCING

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:-

CS2 - Development Principles
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development
CS24 - Managing Flood Risk
CS15 - Delivering Affordable Housing
ENV2 - Noise and Vibration
ENV5 - Contaminated Land
National Planning Policy Framework

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 (Mark Quinn on 0151 443 2381)

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 "S. M. M.", is positioned above the title.

Executive Director - Regeneration and Economic Development

Date: 15 November 2019

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.