



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/00776/FUL

Name and address of applicant

MCDG Developments Ltd
Unit 3
125-129 Witton Street
Northwich
Cheshire
CW9 5DY

Name and address of agent

Mr Alex Halford
11 Ploughmans Close
Southport
PR9 8QZ

Date of Receipt: 5 May 2023

Date Valid: 20 June 2023

Address/Location Of Development:

Land Adjacent To 118 Ribblers Lane
Southdene
Kirkby
Knowsley
L32 7RB

Description of Development:

**ERECTION OF 2 STOREY BUILDING TO PROVIDE CHILDREN'S
ACCOMMODATION WITH ANCILLARY ACCOMMODATION FOR STAFF (USE
CLASS C2)**

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 three 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 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

- a. Existing and Proposed Site Plan - Rev E - (Received 06/09/24)
- b. Proposed Elevations - Rev K - (Received 06/09/24)
- c. Proposed Plans - Rev G - (Received 06/09/24)
- d. Location Plan - Rev D - (Received 20/06/24)

Reason: For the avoidance of doubt.

3. The number of children residing at the property shall not exceed 4.

Reason: To prevent amenity impacts on residents through over intensification of the use.

4. Prior to commencement of development a lighting scheme that protects bats shall have been submitted to and have been approved by, the local planning authority. Works shall be carried out in accordance with the approved details.

Reason: To avoid harmful lighting impacts on bats.

5. Notwithstanding the details submitted on drawing A1381 SK 04A, no development shall take place until a scheme for the design and layout of highway improvement works has been submitted to and approved in writing by the Council as Local Planning Authority. For the avoidance of doubt, the works shall include but not be limited to:
o Site accesses and new footway construction on Hedgecote,
The approved scheme shall be implemented before the development is brought into use.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity.

6. Prior to commencement of development, details of replacement trees shall have been submitted to and been approved by the local planning authority. Following this approval tree planting shall be completed in accordance with the approved details by the end of the next available planting season. 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: In order to provide replacement tree planting.

7. 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;
- (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 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 order to avoid harm to health from contamination.

8. No part of the development hereby permitted shall be commenced until a Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction / demolition effects. This shall include but not be limited to the following: -
 - oMethods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
 - oMethods for dust control and suppression.
 - oDetails of wheel washing facilities including location and type.
 - oThe areas for the storage of plant and materials.
 - oLocation of site compound.

oDetails of relevant pest control measures to be taken during both the construction and demolition phases.

The development shall be implemented in accordance with the approved plan

Reason: In order to avoid harmful construction impacts.

9. No part of the development shall be brought into use until visibility splays of 2 metres by 2 metres have been provided on each side of the driveway access. The depth shall be measured from the back of footway/verge into the site and the width measured outward from the edges of the access. The splays shall be provided clear of obstructions to visibility above the height of 0.6 metres measured from the footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility and to comply with Policy CS19 of the Core Strategy, adopted January 2016

10. Notwithstanding the approved plans, no development shall take place above slab level until details of the position of the building and details of car, cycle and motorcycle parking have been submitted to and been approved by the local planning authority. The works shall be carried out in accordance with the approved plans and the parking areas shall be made available before the first use of the building hereby permitted. The parking areas shall then be retained and made available for use thereafter.

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

11. Notwithstanding any approved plans, the following details shall have been submitted to and been approved by the local planning authority prior to any works commencing on site above slab level.
 - a. Details of Boundary Treatments
 - b. Brick Details
 - c. Details and agreement of Brick proposed
 - d. Lintols Details
 - e. Cills Details
 - f. Roofing
 - g. Eaves Details
 - h. Rainwater Goods and External Plumbing
 - i. Door details
 - j. Window details
 - k. Canopy Details
 - l. Gate Details
 - m. External lighting
 - n. Details of fencing dividing car parking from garden.

The works shall be carried out in accordance with the approved plans and retained hereafter.

Reason: In order to protect the character of the Ribblers Lane Conservation Area.

12. Prior to any works above slab level, details of hard and soft landscaping shall be submitted to and be agreed by the local planning authority. Works shall be carried out in accordance with the approved details and shall be retained hereafter. Any soft landscaping elements 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: In order to ensure landscaping details are appropriate for the area.

13. The development hereby permitted shall not be occupied until details of bird boxes to include number, type, and location on an appropriately scaled plan as well as timing of installation, has been provided for approval. The bird boxes shall be implemented in accordance with those approved details.

Reason: In order to provide suitable habitats for birds.

14. No gate/ barrier shall be erected across the vehicular access into the site.

Reason: In the interests of highway and pedestrian safety and appearance of the Conservation Area.

15. The following measures shall be put in place during construction.
- a. A pre-commencement check for hedgehog.
 - b. All trenches and excavations should have a means of escape (e.g., a ramp.)
 - c. Any exposed open pipe systems should be capped to prevent mammals gaining
 - d. access.
 - e. Appropriate storage of materials to ensure that mammals do not use them.

Reason: In order to protect hedgehogs.

16. No tree felling, scrub clearance, hedgerow removal (including partial removal), or vegetation management, is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows, and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason: In order to protect Breeding Birds.

17. During the construction period no works shall take place outside the hours of: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays, Bank Holidays or Public Holidays.

Reason: In order to protect residential amenity.

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

SD1 - Sustainable Development

CS2 - Development Principles

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

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

H5 - Development within Primarily Residential Areas

ENV2 - Noise and Vibration

DQ5 - Development in Conservation Areas

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 identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 'Dubai'.

Executive Director - Regeneration and Economic Development

Date: 7 November 2024

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.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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.